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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint
of Kathy Schmits

Complainant

Case No. 07-845-AU -CSS

v.


Duke Energy Ohio, Inc.

Respondent

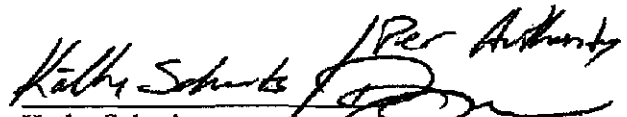
**JOINT MOTION TO DISMISS WITH PREJUDICE OF CLAIMANT KATHY
SCHMITS AND RESPONDENT DUKE ENERGY OHIO**

Complainant, Kathy Schmits, and Respondent, Duke Energy Ohio, respectfully
request the Commission dismiss the above-captioned complaint with prejudice as the parties
have settled this matter and all issues raised in the complaint have been resolved.

Respectfully Submitted,



Rocco O. D'Ascenzo (0077651)
Counsel for Duke Energy Ohio, Inc
Rm 2500 Atrium II
P.O. Box 960
Cincinnati, OH 45201-0960
tel: (513) 419-1852
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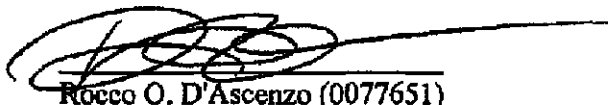
Kathy Schmits
9251 Deercross, Pkwy #2D,
Cincinnati OH 45236

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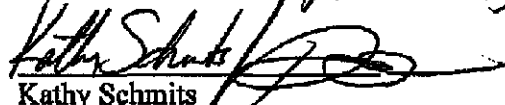
MEMORANDUM IN SUPPORT

The parties have resolved all issues raised in the above styled complaint and reached a settlement that is to the satisfaction of both parties. Therefore, by agreement, the parties respectfully request this Commission dismiss the above captioned case with prejudice.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Joint Motion to Dismiss, was served on the following by first class U.S. mail, postage prepaid, on this 14th day of January, 2008.

Kathy Schmits
9251 Deercross, Pkwy #2D,
Cincinnati OH 45236



Rocco O. D'Ascenzo (0077651)