

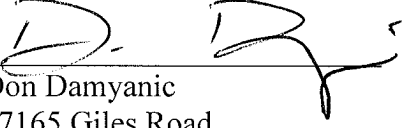
**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of Don Damyanic,)	
)	
)	
Complainant,)	Case No. 07-1239-EL-CSS
)	
v.)	
)	
Ohio Edison Company,)	
)	
)	
Respondent.)	

**JOINT MOTION TO DISMISS
WITH PREJUDICE**

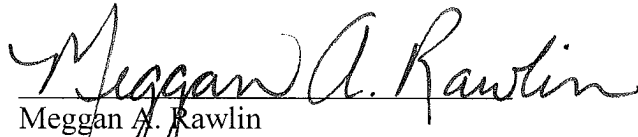
Complainant Don Damyanic (“Complainant”) and Respondent Ohio Edison Company (“Ohio Edison”) together respectfully move the Commission for an entry dismissing with prejudice the Complaint in case number 07-1239-EL-CSS. The reasons for this motion are set forth in the attached Memorandum in Support.

Dated: February 19, 2008


Don Damyanic
37165 Giles Road
Grafton, OH 44044
Telephone: 440-343-3323

Complainant

Respectfully submitted,


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Attorneys for Respondents

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**MEMORANDUM IN SUPPORT
OF JOINT MOTION TO DISMISS WITH PREJUDICE**

On December 3, 2007 Complainant Don Damyanic (hereinafter, "Complainant") filed a Complaint in case number 07-1239-EL-CSS against Respondent Ohio Edison Company (hereinafter, "Respondent"). Complainant alleged claims against Respondent for inadequate service and/or facilities under Title 49 of the Ohio Revised Code.


The parties have resolved this matter. In light of this resolution, Complainant no longer wishes to pursue claims for inadequate service and/or facilities against Respondent. Therefore, Complainant and Respondent together respectfully request an entry dismissing case number 07-1239-EL-CSS in its entirety and with prejudice. For all of these reasons, the Joint Motion to Dismiss with Prejudice should be granted.

Dated: February 19, 2008


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Complainant

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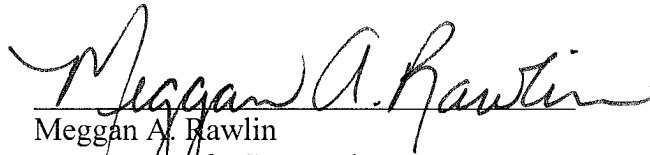
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Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Joint Motion to Dismiss with Prejudice and Memorandum in Support was served via the Commission's electronic filing system and regular U.S. Mail upon the following this 19TH day of FEBRUARY, 2008.

Don Damyanic
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Telephone: 440-343-3323


Meggan A. Rawlin
An Attorney for Respondent

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in

Case No(s). 07-1239-EL-CSS

Summary: Motion (Joint) to Dismiss with Prejudice electronically filed by Meggan A. Rawlin on behalf of Ohio Edison Company