

**FILE**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**


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In the Matter of the Application of Duke Energy Ohio for Authority to Establish a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan	)	Case No. 08-0920-EL-SSO
In the Matter of the application of Duke Energy Ohio for Authority to Amend Accounting Methods	)	Case No. 08-0921-EL-AAM
In the Matter of the Application of Duke Energy Ohio for Authority of a Certificate of Public Convenience and Necessity to Establish an Unavoidable Capacity Charge(s)	)	Case No. 08-0922-EL-UNC
In the Matter of the Application of Duke Energy Ohio for Authority to Amend its Tariff	)	Case No. 08-0923-EL-ATA

**MOTION FOR ADMISSION PRO HAC VICE  
OF CYNTHIA A. FONNER**

Pursuant to Rule 4901-1-08(B) of the Ohio Administrative Code, M. Howard Petricoff, an attorney licensed to practice in the State of Ohio, respectfully moves that Cynthia A. Fonner be admitted *pro hac vice* to practice before the Public Utilities Commission of Ohio (the "Commission") for the purpose of representing Constellation NewEnergy, Inc. ("CNE") and Constellation Energy Commodities Group, Inc. ("CCG") in the instant matters, and in support thereof, states as follows:

1. Cynthia A. Fonner is Senior Counsel for Constellation Energy Group, Inc., the parent company of CNE and CCG. Ms. Fonner is admitted to, and a member in good standing

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of, the Bar of the State of Illinois, as well as the U.S. District Court, Northern District of Illinois Trial Bar. Ms. Fonner is an experienced practitioner in the field of utility regulation who has appeared in numerous proceedings before state regulatory bodies. Ms. Fonner is familiar with the issues involved in this litigation.

2. Contact information for Ms. Fonner is as follows:

Cynthia A. Fonner  
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Cynthia.A.Fonner@constellation.com

Ms. Fonner is in-house counsel for CNE and CCG. Her expertise in the regulation of electricity and knowledge concerning the operation of CNE and CEG will be of great assistance to CNE and CCG in its participation in the matter at bar.

WHEREFORE, M. Howard Petricoff respectfully requests that Cynthia A. Fonner be permitted to practice before the Commission in the above styled proceedings.

Respectfully Submitted,

/s/  
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Attorneys for Constellation NewEnergy, Inc. and  
Constellation Energy Commodities Group, Inc.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing documents was served this 20<sup>th</sup> day of August, 2008 by regular U.S. mail, postage prepaid, or by electronic mail, upon the persons listed below.

/s/

M. Howard Petricoff

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