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BEFORE
THE OHIO POWER SITING BOARD

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In the Matter of the Application)
of Middletown Coke Company,)
a subsidiary of SunCoke Energy,)
for a Certificate of Environmental)
Compatibility and Public Need to)
Build a Cogeneration Station in)
Butler County, Ohio)

Case No. 08-281-EL-BGN

STIPULATIONS OF CITY OF MONROE

The City of Monroe makes the following stipulations, responses, and objections concerning the Joint Stipulation and Recommendations of the Applicant and the Staff of the Ohio Power Siting Board ("Staff") filed with the Board on October 30, 2008.

1. The City of Monroe stipulates to Findings of Fact Paragraphs 4-14 and Conclusions of Law Paragraph 1 as set forth in the Joint Stipulation and Recommendations.
2. The City of Monroe does not join in, but does not object to, Findings of Fact Paragraphs 1, 17, 20, and 21, and Conclusions of Law Paragraphs 6, 9, and 10 of the Joint Stipulations and Recommendations. Furthermore, the City of Monroe does not join in, but does not object to, all recommended conditions set forth under Paragraph III(A) of the above-referenced Joint Stipulation and Recommendations, adding that such recommended conditions may be appropriate but are not sufficient given the exclusion of the proposed Middletown Coke Company coke plant from the stipulations. The City of Monroe objects to the preface to the recommended conditions to the extent that it

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recommends the issuance of a Certificate of Environmental Compatibility and Need for the proposed cogeneration facility.

3. The City of Monroe stipulates to the admission of the exhibits listed in Paragraph (III)(B)(2) and (3) of the Joint Stipulation and Recommendations. The City of Monroe will not object to the admission of the remaining exhibits listed in Paragraph III(B), provided they are introduced by a witness at hearing, subject to cross-examination. The City of Monroe does not stipulate that the exhibits listed in Paragraph (III)(B) are accurate or are adequate to support the issuance of a Certificate of Environmental Compatibility and Need.
4. The City of Monroe objects to all other statements and recommendations in the Joint Stipulation and Recommendations.




Christopher A. Walker (0040696)
Van Kley & Walker, LLC
137 North Main Street, Suite 316
Dayton, OH 45402-1772
Telephone: (937) 226-9000
Facsimile: (937) 226-9002
E-Mail: cwalker@vankleywalker.com

Jack A. Van Kley (0016961)
Van Kley & Walker, LLC
132 Northwoods Blvd., Suite C-1
Columbus, OH 43235
Telephone: (614) 431-8900
Facsimile: (614) 431-8905
E-Mail: jvankley@vankleywalker.com

Of Counsel

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Stipulations of City of Monroe was served upon the following parties of record by the methods indicated below on this 5th day of November, 2008.


Christopher A. Walker
Counsel for City of Monroe, Ohio

SERVICE LIST

Howard Petricoff, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
mhpetricoff@vorys.com
Via Electronic Mail and Regular Mail

Stephen Howard, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
smhoward@vorys.com
Via Electronic Mail and Regular Mail

Suncoke Energy, Inc.
Attn: Ryan Osterholm
11400 Parkside Drive, Parkside Plaza
Knoxville, TN 37934
Via Regular Mail

F. Joseph Schiavone
6978 Hamilton Middletown Road
Middletown, OH 45044
fjlaw@gmail.com
Via Electronic Mail and Regular Mail

Margaret A. Malone
Assistant Attorney General
Environmental Enforcement Section
30 East Broad Street, 25th Floor
Columbus, OH 43215
mmalone@ag.state.oh.us
Via Electronic Mail and Regular Mail

Thomas G. Lindgren
Assistant Attorney General
Public Utilities Section
180 East Broad Street, 9th Floor
Columbus, OH 43215
thomas.lindgren@puc.state.oh.us
Via Electronic Mail and Regular Mail