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139 East Fourth Street, R. 25 At II
P.O. Box 980
Cincinnati, Ohio 45201-0960
Tel: 513-419-1837
Fax: 513-419-1848
dianne.kuhnell@duke-energy.com

Dianne B. Kuhnell
Senior Paralegal

VIA OVERNIGHT MAIL DELIVERY

March 10, 2009

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Re: Case No. 08-1225-EL-CSS

Dear Docketing Division:

Enclosed please find for filing an original and twelve copies each of the Joint Motion To Dismiss with Prejudice.

Please file-stamp and return two copies of each in the envelope provided.

Should you have any questions, please contact me at (513) 419-1837.

Very truly yours,

Dianne Kuhnell
Senior Paralegal

cc: Parties of Record

Enclosure

This is to certify that the ~~image~~ appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Date Processed MAR 11 2009

www.duke-energy.com

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

SZL Limited
9675 Montgomery Road
Cincinnati, OH 45242

Complainant,

v.

Duke Energy Ohio

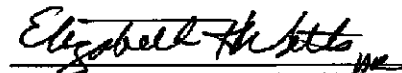
Respondent

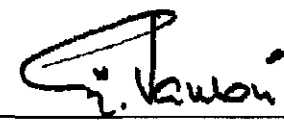
Case No. 08-1225-EL-CSS

JOINT MOTION TO DISMISS WITH PREJUDICE

Now comes Respondent, Duke Energy Ohio, Inc., (DE-Ohio) and Complainant SZL Limited, and hereby respectfully requests that this Commission dismiss the above styled complaint *with prejudice*. The dispute has been resolved and settled to the satisfaction of the parties.

Respectfully Submitted,


Elizabeth H. Watts (0031092)
Assistant General Counsel
Duke Energy Business Services Inc.
139 East Fourth Street
Rm 2500 Atrium II
P.O. Box 960
Cincinnati, OH 45201-0960
tel: (614) 221-7551
fax: (614) 221-7556
email: elizabeth.watts@duke-energy.com


Stephen J. Vamosi
SZL Limited
9675 Montgomery Road
Cincinnati, OH 45242

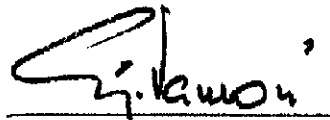
MEMORANDUM IN SUPPORT

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, Complainant SZL Limited and Respondent DE-Ohio respectfully requests this Commission dismiss the above captioned case.

Respectfully Submitted,



Elizabeth H. Watts (0031092)
Assistant General Counsel
Duke Energy Business Services Inc.
139 East Fourth Street
Rm 2500 Atrium II
P.O. Box 960
Cincinnati, OH 45201-0960
tel: (614) 221-7551
fax: (614) 221-7556
email: elizabeth.watts@duke-energy.com

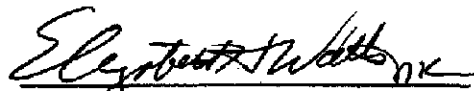


Stephen J. Vamosi
SZL Limited
9675 Montgomery Road
Cincinnati, OH 45242

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 10 day of March, 2009.

Stephen J. Vamosi
SZL Limited
9675 Montgomery Road
Cincinnati, OH 45242


Elizabeth H. Watts (0031092)