

FILE



Office of the Ohio Consumers' Counsel

Your Residential Utility Consumer Advocate

Janine L. Migden-Ostrander
Consumers' Counsel

RECEIVED DOCKETING DIV

2009 APR 10 PM 5:22

PUCO

April 10, 2009

Duane C. Luckey
Attorney for Appellee
Senior Deputy Attorney General
Public Utilities Commission of Ohio
180 East Broad Street, 9th Floor
Columbus, Ohio 43215-3793

Re: *In the Matter of Dominion East Ohio, Inc* PUCO Case No. 07-829-GA-AIR, et al.

On Appeal in: *Office of the Ohio Consumers' Counsel v. Public Utilities Commission*,
Supreme Court Case No. 09-0314

Dear Counsel for the PUCO:

Without waiving or conceding any arguments with respect to the notice provision in R.C. 4903.16, the Office of the Ohio Consumers' Counsel ("OCC") hereby docket and gives notice to the Public Utilities Commission of Ohio ("PUCO" or "Commission") regarding OCC's intent to file a motion, on or after April 10, 2009, for a stay of the Commission's decisions and Orders in the above-captioned cases with respect to the implementation of stage 2 of the straight fixed variable rate design approved for The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO"). In the absence of a stay, the Commission's Order granting DEO the authority to implement the stage 2 increase to the fixed monthly customer charge that is scheduled to go into effect on or about October 1, 2009, will irreparably harm DEO's residential customers.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Serio", with a long horizontal line extending to the right.

Joseph P. Serio
Assistant Consumers' Counsel

cc: Parties to PUCO Cases 07-829-GA-AIR, et al.
PUCO (by Docketing)

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician RW Date Processed 4/10/09