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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

MARK ANTONY SMITH,

Complainant,

v.

THE EAST OHIO GAS COMPANY d/b/a  
DOMINION EAST OHIO,

Respondent.

Case No. 09-10-GA-CSS

PUCO

2009 JUN 23 PM 1:08

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MOTION TO DISMISS

Pursuant to Rule 4901-9-01(F), Ohio Administrative Code ("O.A.C."), The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO") respectfully requests an order dismissing the Complaint in this action. DEO represents that this matter has been settled and that the parties have executed a confidential settlement agreement.

Pursuant to Rule 4901-9-01(F), Complainant has 20 days to file a written response agreeing or disagreeing with DEO's assertion that this matter has been settled. If no response is filed, the Commission may presume that satisfaction or settlement has occurred and dismiss the complaint.

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Respectfully submitted,

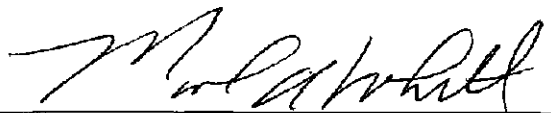
A handwritten signature in black ink, appearing to read "Mark A. Whitt", written over a horizontal line.

Mark A. Whitt  
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Attorney for Respondent The East Ohio Gas  
Company d/b/a Dominion East Ohio

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for Extension of Time was served by ordinary U.S. mail, postage prepaid, to the following on this 23rd day of June, 2009:

Mark Antony Smith  
5552 Quail Run  
North Olmstead, Ohio 44070

A handwritten signature in black ink, appearing to read 'Mark A. Whitt', written over a horizontal line.

Mark A. Whitt

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