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Akron, Ohio 44308

Kathy J. Kolich  
Senior Attorney

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*Via Federal Express  
and Facsimile (614-466-0313)*

F300

July 9, 2009

Ms. Renee J. Jenkins  
Director, Administration Department  
Secretary to the Commission  
Docketing Division  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

Dear Ms. Jenkins:

**Re: *Joint Motion of Odessa and David Henderson and The Cleveland Electric Illuminating Company to Dismiss the Instant Action and Memorandum In Support***  
**Case No. 08-1077-EL-CSS**

Enclosed for filing, please find the original and twelve (12) copies of the Joint Motion of Odessa and David Henderson and The Cleveland Electric Illuminating Company to Dismiss the Instant Action and Memorandum In Support. Please file the enclosed Motion in the above-referenced docket, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,

*Kathy J. Kolich*

kag  
Enclosures

cc: Parties of Record

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.  
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**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

Odessa/David Henderson,	)	
	)	
Complainants,	)	
	)	
vs.	)	CASE NO. 08-1077-EL-CSS
	)	
The Cleveland Electric	)	
Illuminating Company,	)	
	)	
Respondent.	)	

**JOINT MOTION OF ODESSA AND DAVID HENDERSON AND THE  
CLEVELAND ELECTRIC ILLUMINATING COMPANY  
TO DISMISS THE INSTANT ACTION AND MEMORANDUM IN SUPPORT**

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code, Complainants, Mr. David and Mrs. Odessa Henderson, and Respondent, The Cleveland Electric Illuminating Company, jointly move for the dismissal of the instant action with prejudice on the grounds that all issues giving rise to the Complaint have been amicably resolved.

Respectfully submitted,

Respectfully submitted,

*Odessa Henderson / KH*

Odessa Henderson

*David Henderson / KH*

David Henderson  
(per verbal authorization)  
352 Knollwood Trail  
Richmond Hts., Ohio 44143  
Telephone – 216-289-6946

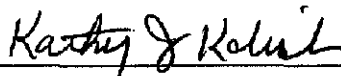
*Kathy J. Kolich*

Kathy J. Kolich (0038855)  
Senior Attorney  
FirstEnergy Service Company  
76 South Main Street  
Akron, Ohio 44308  
Telephone: 330-384-4580  
Fax: 330-384-3875

On behalf of The Cleveland Electric  
Illuminating Company

**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a copy of the Joint Motion to Dismiss and Memorandum in Support was served upon Odessa and David Henderson, 352 Knollwood Trail, Richmond Hts., Ohio 44143, by regular U.S. Mail, postage prepaid, this 9<sup>th</sup> day of July, 2009.

  
\_\_\_\_\_  
Kathy J. Kolich, Esquire