

Kathy J. Kolich
Senior Attorney

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

August 25, 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

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PUCO

Dear Ms. Jenkins:

**Re: Joint Motion of Julio Popovsky and The Cleveland Electric Illuminating Company to Dismiss the Instant Action
Case No. 09-188-EL-CSS**

Enclosed for filing, please find the original and twelve (12) copies of the Joint Motion of Julio Popovsky and The Cleveland Electric Illuminating Company to Dismiss the Instant Action. 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

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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.
Technician JK Date Processed 8/26/09

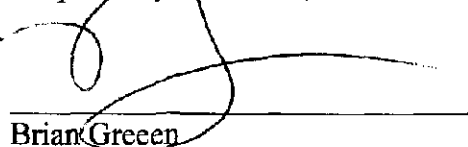
BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

Julio Popovsky)	
)	
Complainant,)	
)	
vs.)	CASE NO. 09-188-EL-CSS
)	
The Cleveland Electric)	
Illuminating Company)	
)	
Respondent.)	

JOINT MOTION TO DISMISS

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code, Complainant, Julio Popovsky, and Respondent, The Cleveland Electric Illuminating Company, jointly ask that the Commission dismiss the instant action with prejudice. The parties have amicably resolved their differences.

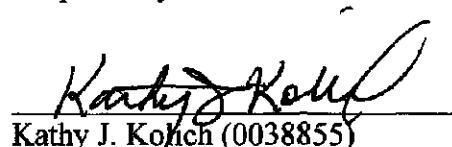
Respectfully submitted,



Brian Green
Attorney
Shapiro & Green LLC
25101 Chagrin Blvd.
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Beachwood, OH 44122
Telephone: 216-831-5100
Fax: 216-831-9467

On behalf of Complainant, Julio Popovsky

Respectfully submitted,

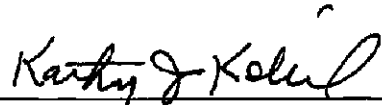


Kathy J. Kofich (0038855)
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On behalf of The Cleveland Electric
Illuminating Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the Joint Motion to Dismiss was served upon Brian Green, Shapero & Green, LLC, 25101 Chagrin Blvd., Signature Square II, Suite 220, Beachwood, Ohio 44122 by regular U.S. Mail, postage prepaid, this 25th day of August, 2009.



Kathy J. Kolich, Esquire