

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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PUCO


In the Matter of the Application )  
of Aqua Ohio, Inc., )  
for Authority to Increase its Rates )  
and Charges in the Lake Erie Division )

Case No. 09-1044-WW-AIR

**MOTION FOR ESTABLISHMENT OF A TEST YEAR AND A DATE CERTAIN**

Now comes Aqua Ohio, Inc., (hereinafter "Aqua"), by and through counsel, and for the reasons set forth in the attached Memorandum in Support, respectfully requests that the Public Utilities Commission of Ohio (hereinafter "Commission"), pursuant to Ohio Revised Code Section ("R.C.") 4905.15 (C) and Ohio Administrative Code Section ("O.A.C.") §4901-7-01, Appendix, Chapter II, Paragraph A, sub-paragraph (5)(a), establish a Test Year for the above captioned proceeding of January 1, 2009 through December 31, 2009 with a Date Certain of March 31, 2009.

Respectfully submitted,



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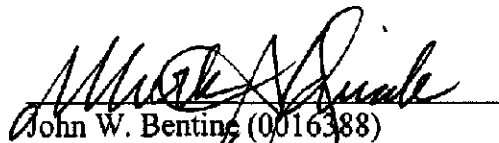
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## MEMORANDUM IN SUPPORT

In support of its Test Year and Date Certain Motion, Aqua states that it proposes to establish a test year of January 1, 2009 through December 31, 2009 and a date certain of March 31, 2009. R.C. 4905.15(C) and O.A.C. Rule 4901-7-01, Appendix, Chapter II, Paragraph (A), sub-paragraph (5)(a) permit the Commission to approve the requested Test Year period since the Test Year period does not end more than nine (9) months subsequent to the date the application will be filed. Further, the proposed Date Certain is not later than the date of filing, so the Commission has the discretion to approve the Date Certain requested. At the time of the filing of the application, the Staff of the Commission should have all relevant actual data to evaluate the application.

WHEREFORE, Aqua Ohio respectfully moves the Public Utilities Commission of Ohio to establish a Test Year of January 1, 2009 through December 31, 2009 and a Date Certain of March 31, 2009.

Respectfully submitted,



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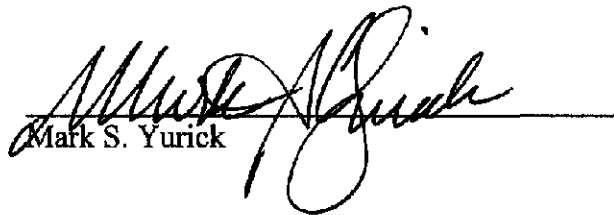
Attorneys for Aqua Ohio, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing Motion for Establishment of a Test Year and Date Certain upon the persons listed below via United States first-class mail, postage prepaid, this 20th day of November, 2009.

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