

**FILE**



**RICHARD CORDRAY**  
OHIO ATTORNEY GENERAL

December 2, 2009

The Honorable Kerry Sheets  
Attorney Examiner  
Public Utilities Commission  
180 E. Broad St.  
Columbus, OH 43215

**PUCO**

RECEIVED-DOCKETING DIV  
2009 DEC -2 PM 3:45

Re: Nobscot Organ Works & Tim Smith  
Case Nos. 09-0809-TR-CVF

Dear Examiner Sheets:

The Commission Transportation Staff and the Respondent are engaged in negotiations that may result in a settlement, making the hearing scheduled for tomorrow morning unnecessary. The parties request that they be permitted a reasonable opportunity to continue negotiations in hopes of reaching a settlement agreement. In the event that an agreement cannot be reached, the parties propose that the evidentiary hearing be rescheduled for January 21, 2010.

Sincerely,

**Werner L. Margard**  
Assistant Attorney General  
Public Utilities Section  
180 East Broad Street, 6<sup>th</sup> Floor  
Columbus, OH 43215-3793  
(614) 466-4395  
FAX: (614) 644-8764

cc: Richard Parsons  
Michael D. Dortch  
Kravitz, Brown & Dortch, LLC  
65 East State Street  
Suite 200  
Columbus, OH 43215

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 SM Date Processed DEC. 02 2009