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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

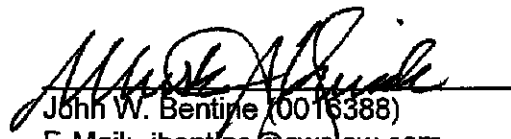
In the Matter of the Application of Aqua Ohio
Inc. for Authority to Increase its Rates
And Charges in its Masury Division.

Case No. 09-560-WW-AIR

**AQUA OHIO, INC.'S MOTION TO WITHDRAW ITS
MOTION TO STRIKE TESTIMONY SUBMITTED
BY THE OHIO CONSUMERS' COUNSEL AND ITS MOTION TO STRIKE OBJECTIONS OF
THE OHIO CONSUMERS' COUNSEL**

Pursuant to direction of the Attorney Examiner in the above-captioned matter, on March 8, 2010 Aqua Ohio, Inc. ("Aqua") filed a Motion to Strike Testimony Submitted By The Ohio Consumers' Counsel and a Motion to Strike Objections of The Ohio Consumers' Counsel. For the reasons set forth in the attached Memorandum, Aqua hereby requests to withdraw its Motion to Strike Testimony Submitted By The Ohio Consumers' Counsel and a Motion to Strike Objections of The Ohio Consumers' Counsel in this proceeding, subject to renewal.

Respectfully submitted,

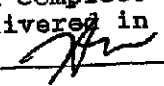


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MEMORANDUM

On March 8, 2010 Aqua filed motions to strike testimony and objections in the above-captioned matter. At this time, it appears that the Parties to the case are in agreement on the principal terms for settling this case without the need for an evidentiary hearing. In order to allow the Parties to concentrate their efforts on finalizing settlement terms, Aqua requests permission to withdraw its motions to strike, subject to renewal should settlement negotiations break down.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John W. Bentine", is written over a horizontal line.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing *Aqua Ohio, Inc.'s Motion to Withdraw Its Motion To Strike Testimony Submitted by The Ohio Consumers' Counsel and Its Motion To Strike Comments Of The Ohio Consumers' Counsel* was served this 16th day of March, 2010 upon the following via electronic mail and U.S. regular mail, postage prepaid.

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