

THE PUBLIC UTILITIES COMMISSION OF OHIO

Respondent.

Case No. 09-443-EL-CSS

The Commission finds:

- (1) The above-referenced complaint was filed on May 26, 2009. In the complaint, Kenneth Wallace, president of Tri-Pyramid Machining, Inc. (TPM), stated that excess voltage, supplied to TPM's building by The Cleveland Electric Illuminating Company (CEI), caused machines to be shut down, and resulted in the loss of work orders and possible long-term machine damage.
- (2) On June 17, 2009, CEI filed an answer that denied the allegations in the complaint.
- (3) A settlement conference was held in this matter on August 4, 2009. The parties, however, were unable to resolve their differences at the conference.
- (4) On January 25, 2010, Mr. Wallace notified the attorney examiner that the complaint would be withdrawn. At that time, Mr. Wallace stated that a withdrawal of the complaint would be submitted in writing to the Commission.
- (5) On February 2, 2010, the attorney examiner issued an entry that offered Mr. Wallace two options: (a) respond in writing to the examiner with regard to his company's intentions in this matter, or (b) do nothing and the attorney examiner would recommend that the case be dismissed.

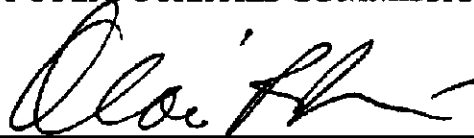
- (6) To date, Mr. Wallace has not contacted the attorney examiner regarding the disposition of this case. Accordingly, the Commission finds that the case should be dismissed without prejudice.

It is, therefore,

ORDERED, That Case No. 09-443-EL-CSS be dismissed without prejudice. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman

Paul A. Centolella



Steven D. Lesser

Valerie A. Lemmie




Cheryl L. Roberto

KKS/vrm

Entered in the Journal

APR 14 2010



Renee J. Jenkins
Secretary