

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of the )  
Constellation NewEnergy, Inc. and Cox )  
Newspapers, Inc., )  
Complainants, ) Case No. 05-484-EL-CSS  
v. )  
The Cincinnati Gas and Electric Company, )  
Respondent. )

ENTRY

The attorney examiner finds:

- (1) On April 12, 2005, Constellation NewEnergy, Inc. and Cox Newspapers, Inc. (complainants) filed a complaint alleging, among other things, that The Cincinnati Gas and Electric Company (CG&E) charged complainants and 23 other Constellation NewEnergy customers for service at rates other than what was approved by the Commission.
- (2) On May 3, 2005, CG&E filed an answer admitting, in part, and denying, in part, the allegations of the complaint.
- (3) This case should be set for a settlement conference on June 7, 2005, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, Hearing Room 11-F, Columbus, Ohio 43215-3793. The purpose of the settlement conference is to determine whether this matter can be resolved informally. In the event that a settlement is not reached at the conference, the attorney examiner will conduct a discussion of procedural issues at the conclusion of the settlement conference. Procedural issues for discussion may include discovery dates, possible stipulations of facts, and potential hearing dates.

It is, therefore,

ORDERED, That a settlement conference be held in accordance with Finding (3). It is, further,

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ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF Ohio

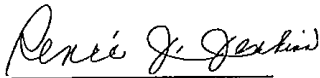


By: Scott Farkas  
Attorney Examiner

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Entered in the Journal

MAY 09 2005



Renee J. Jenkins  
Secretary