

FILE

4

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV  
2004 MAR 18 PM 4:38

PUCO

In the Matter of the Application of the Cincinnati )  
Gas & Electric Company to Modify its Non- )  
Residential Generation Rates to Provide for Market ) Case No. 03-93-EL-ATA  
Based Standard Service Offer Pricing and to )  
Establish an Alternative Competitively Bid Service )  
Rate Option Subsequent to Market Development. )

In the Matter of the Application of The Cincinnati )  
Gas & Electric Company for Authority to Modify )  
Current Accounting Procedures for Certain ) Case No. 03-2079-EL-AAM  
Costs Associated with the Midwest Independent )  
Transmission System Operator. )

In the Matter of the Application of the Cincinnati )  
Gas & Electric Company for Authority to Modify )  
Current Accounting Procedures for Capital ) Case No. 03-2081-EL-AAM  
Investment in the Electric Transmission and ) Case No. 03-2080-EL-ATA  
Distribution System and to Establish a Capital )  
Investment Reliability Rider to be Effective )  
After the Market Development Period. )

NOTICE OF WITHDRAWAL  
OF  
ENERGY AMERICA, LLC

On January 10, 2003, the Cincinnati Gas & Electric Company ("CG&E") filed an Application to modify its non-residential generation rates to provide for a market-based standard service price offer and a competitive bid option. Energy America intervened on February 11, 2003.

On October 8, 2003, CG&E filed an Application in Case No. 03-2080, 03-2081, In the Matter of the Application of the Cincinnati Gas & Electric Company for Authority to Modify Current Accounting Procedures for capital Investment in its Electric Transmission and Distribution System and to Establish a Capital Investment Reliability Rider to be Effective After

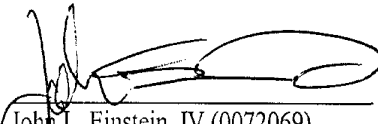
COL - 90916.1

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 CH Date Processed 3/18/04

the Market Development Period, and Case No. 03-2079, In the Matter of the Application of the Cincinnati Gas & Electric Company for Authority to Modify Current Accounting Procedures for Certain Costs Associated with the Midwest Independent Transmission System Operator, in which Energy America did not intervene. By Entry dated, December 9, 2003 the Public Utilities Commission of Ohio consolidated all of the above referenced cases.

At this time Energy America wishes to withdraw from these proceedings and request that its name be removed from the service list.

Respectfully submitted,



OF COUNSEL:

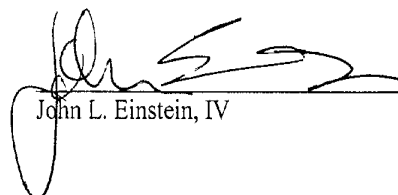
HAHN LOESER & PARKS LLP

John L. Einstein, IV (0072069)  
1050 Fifth Third Center  
21 East State Street  
Columbus, OH 43215-4224  
Phone: 614/233-5120  
Telefax: 614/233-5121  
Email: jleinstein@hahnlaw.com

ATTORNEY FOR ENERGY AMERICA, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served by first-class mail, postage prepaid to the following parties of record this 18<sup>th</sup> day of March, 2004.

  
John L. Einstein, IV

**PARTIES OF RECORD**

JAMES B. GAINER  
National City Plaza  
21st Floor  
155 East Broad Street  
Columbus, OH 43215

DAVID F. BOEHM  
Boehm, Kurtz & Lowry  
2110 CBLD Center  
36 East Seventh Street  
Cincinnati, OH 45202

KIMBERLY W. BOJKO  
Ohio Consumers' Counsel  
10 West Board Street #1800  
Columbus, OH 43215

ANITA M. SCHAFER  
Cinergy Corp  
139 East Fourth Street  
P O Box 960  
Cincinnati, OH 45201-0960

MICHAEL KURTZ  
Boehm, Kurtz & Lowry  
2110 CBLD Center  
36 East Seventh Street  
Cincinnati, OH 45202

W. JONATHAN AIREY  
Vorys, Sater, Seymour & Pease LLP  
52 East Gay Street  
P O Box 1008  
Columbus, OH 43216-1006

BENITA A. KAHN  
Vorys, Sater, Seymour & Pease, LLP  
52 East Gay Street  
P O Box 1008  
Columbus, OH 43216-1008

DAVID C. RINEBOLT  
Ohio Partners for Affordable Energy  
P O Box 1793  
Findlay, OH 45839-1793

CRAIG G. GOODMAN ESQ  
National Energy Marketers Association  
3333 K Street NW  
Suite 110  
Washington, DC 20007

SAMUEL C. RANDAZZO ESQ.  
McNees Wallace & Nurick, LLC  
21 East State Street #1700  
Columbus, OH 43215

---

GLEND A ROSELLE  
Green Mountain Energy Company  
3817 Capital of Texas Highway South  
Suite 100  
Austin, TX 78704

DIANE M. CAMMERATA  
Strategic Energy, LLC  
Two Gateway Center, 9th Floor  
Pittsburgh, PA 15222

MARK A RADTKE  
WPS Energy Services, Inc.  
1088 Springhurst Drive  
Green Bay, WI 54304

DONALD I. MARSHALL  
Eagle Energy, LLC  
4925 Cleves-Warsaw Pike  
Cincinnati, OH 45238