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Cinergy Services, Inc.  
139 East Fourth Street, Rm 25 AT II  
P.O. Box 960  
Cincinnati, OH 45201-0960  
Tel 513.287.3075  
Fax 513.287.3810  
michael.pahutski@cinergy.com

**MICHAEL J. PAHUTSKI**  
Counsel

VIA OVERNIGHT DELIVERY

**CINERGY**

July 22, 2002

Ms. Daisy Crockron  
Chief, Docketing Division  
Public Utilities Commission of Ohio  
Docketing Division, 10th Floor  
180 East Broad Street  
Columbus, OH 43215-3793

Re: In the Matter of the Complaint of H & S Tool Company  
Against The Cincinnati Gas & Electric Company  
Case No. 02-1207-EL-CSS

Dear Ms. Crockron:

Enclosed please find an original and 12 copies of the Joint Motion To Dismiss to be filed in this case. Please date-stamp the extra two copies and return them to me in the overnight-mail envelope provided.

Should you have any questions, please call me at (513) 287-3075.

Sincerely,



Michael J. Pahutski  
Attorney for  
The Cincinnati Gas & Electric Company

MJP/mak

Enclosures

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BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

UTILITY RECORDING DIV

02 JUL 10 11:10:03

PUCO

IN THE MATTER OF THE )  
COMPLAINT OF H & S TOOL & )  
GRINDING COMPANY ) Case No. 02-1207-EL-CSS  
AGAINST THE CINCINNATI GAS & )  
ELECTRIC COMPANY )

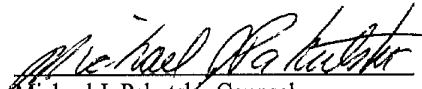
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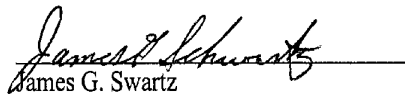
JOINT MOTION TO DISMISS

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Complainant, H & S Tool & Grinding Company, and Respondent, The Cincinnati Gas & Electric Company, respectfully request the Commission dismiss this complaint as the parties have settled this matter and all issues raised in the complaint have been resolved.

Respectfully submitted,

  
Michael J. Pahutski, Counsel  
Trial Attorney for  
The Cincinnati Gas & Electric Company  
139 East Fourth Street  
Cincinnati, Ohio 45201  
(513) 287-3075

  
James G. Swartz  
H & S Tool Company  
6832 E. Plum Street  
P.O. Box 44083  
Cincinnati, Ohio 45244-0083

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**CERTIFICATE OF SERVICE**

I hereby give notice that on this 22nd day of July, 2002, I have served the foregoing Joint Motion to Dismiss on the parties of record by mailing a true copy by regular U.S. mail to James G. Swartz, H & S Tool Company, 6832 E. Plum Street, P.O. Box 44083, Cincinnati, Ohio 45244-0083.

  
Michael J. Pahutski