**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In The Matter Of The Complaint Of: : Case No. 13-1769-EL-CSS**

**WESTERN TENNIS AND FITNESS CLUB, :**

**LLC :**

 **:**

 **Complainant, :**

 **:**

**v. :**

 **:**

**DUKE ENERGY OHIO, INC. :**

 **:**

 **Respondent. :**

 **NOTICE OF DISMISSAL**

 Complainant Western Tennis and Fitness Club, LLC (Western TFC) hereby dismisses with prejudice all claims raised in its August 9, 2013 complaint against Duke Energy Ohio, Inc.

 Respectfully submitted,

 /s Kurt R. Hunt

 Kurt R. Hunt (0084362)

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 *Counsel of Record for Complainant*

 *Western Tennis and Fitness Club, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been electronically filed on December 6, 2013, and a service copy has been served upon the following by Ordinary U.S. Mail sent on the 7th day of December, 2013:

Robert A. McMahon, Esq.

EBERLY McMAHON LLC

2321 Kemper Lane, Suite 100

Cincinnati, OH 45206

*Attorney for Respondent,*

*Duke Energy Ohio, Inc.*

 /s Kurt R. Hunt\_\_\_\_\_\_

 Kurt R. Hunt

 *Counsel of Record for Complainant*

 *Western Tennis and Fitness Club, LLC*