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Mark Riegel/Riegel Farms, LLC, Complainant, v. Columbia Gas of Ohio, Inc., Respondent

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Case No. 06-1503-GA-CSS

## MOTION TO DISMISS OF COLUMBIA GAS OF OHIO, INC.

Now comes the Respondent, Columbia Gas of Ohio, Inc. ("Columbia"), and files its

Motion to Dismiss in the above referenced case. Columbia moves that this Complaint be

dismissed as settled pursuant to Ohio Administrative Code § 4901-9-01(B)(4) and § 4901-9-

01(D), as more fully discussed in the Memorandum of Support attached hereto.

Respectfully submitted by

COLUMBIA GAS OF OHIO, INC.

Rodney W. Anderson, Trial Attorney

Mark R. Kempic, Assistant General Counsel Stephen B. Seiple, Lead Counsel Rodney W. Anderson, Senior Attorney 200 Civic Center Drive P.O. Box 117 Columbus, OH 43216-0117 Telephone: (614) 460-4645 Fax: (614) 460-6986 Email: rwander@nisource.com

### **Attorney for Respondent** COLUMBIA GAS OF OHIO, INC.

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#### MEMORANDUM OF SUPPORT

The Complainant and Columbia have agreed to a settlement to resolve all of the issues raised in the Complaint. Since nothing further remains to be done in this case, and no further proceedings are necessary, the case should be dismissed as a settled case.

The Commission's Rules of Practice provide for dismissal of complaint proceedings when a case has been settled if no response to the contrary is filed by the Complainant within twenty days after service of such a motion to dismiss. Ohio Administrative Code § 4901-9-01(D). Therefore, this Complaint should be dismissed as settled pursuant to Ohio Administrative Code § 4901-9-01(B)(4) and § 4901-9-01(D).

Respectfully submitted by

COLUMBIA GAS OF OHIO, INC.

Rodney W. Anderson, Trial Attorney

Mark R. Kempic, Assistant General Counsel Stephen B. Seiple, Lead Counsel Rodney W. Anderson, Senior Attorney 200 Civic Center Drive P.O. Box 117 Columbus, OH 43216-0117 Telephone: (614) 460-4645 Fax: (614) 460-6986 Email: rwander@nisource.com

Attorneys for Respondent COLUMBIA GAS OF OHIO, INC.

## CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Answer by mailing same by

regular U.S. mail to Mark Riegel/Riegel Farms, LLC, 12089 Midway Road, South Solon, Ohio

43153 this 23rd day of March, 2007.

Person

Rodney W Anderson Attorney for COLUMBIA GAS OF OHIO, INC.