

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

In the Matter of the Complaint of)
The Cincinnati Gas & Electric Co.,)
)
Complainant,)
)
v.)
)
The Village of Amberley,)
)
Respondent.)

2007 APR 16 AM 10:03

PUCO

Case No. 05-1116-AU-PWC

**TIME WARNER TELECOM OF OHIO, LLC MOTION TO WITHDRAW
ITS MOTION TO INTERVENE**

On October 25, 2005, Time Warner Telecom of Ohio, LLC ("TWTC") filed a Motion to Intervene ("Motion") in the above entitled proceeding. By an Attorney Examiner's entry of January 9, 2006, TWTC's Motion was granted. In the intervening time, the Village of Amberley has passed a new right-of-way ordinance, No. 2007-03 that replaces the one at issue in this proceeding. TWTC has no objection to Ordinance No. 2007-03 that became effective on April 9, 2007. Therefore the prior ordinance to which TWTC had objections is no longer at issue and TWTC withdraws its motion to intervene and so far as the interests of TWTC are concerned, this proceeding may be dismissed.

Respectfully submitted on behalf of
TIME WARNER TELECOM OF OHIO, LLC

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing MOTION TO WITHDRAW THE MOTION TO INTERVENE of Time Warner Telecom of Ohio, LLC was served upon the parties of record indicated below this 16th day of April 2007, via U.S. mail, postage prepaid and electronic service.


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