

FILE

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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

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

Case No. 05-1116-AU-PWC

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**MOTION TO DISMISS**

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Now comes Complainant, Duke Energy Ohio, Inc., (DE-Ohio), formerly the Cincinnati Gas & Electric Company, pursuant to O.A.C. 4901-9-01(E), and hereby respectfully requests this Commission dismiss the above styled complaint. The dispute has been resolved and settled to the satisfaction of the parties.

Respectfully Submitted,




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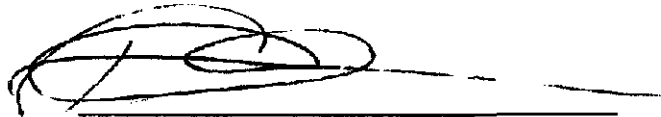
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**MEMORANDUM IN SUPPORT**

The parties have resolved all issues raised in the above styled complaint and reached a settlement that is to the satisfaction of both parties. Therefore, Complainant DE-Ohio respectfully requests this Commission dismiss the above captioned case.

Respectfully Submitted,



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Motion to Dismiss, was served on the following by first class U.S. mail, postage prepaid, on this 16<sup>th</sup> day of April, 2007.

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