

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Complaints of S.G.
Foods, Inc.; Miles Management Corp.,
et al.; Allianz US Global Risk Insurance
Company, et al.; and Lexington Insurance
Company, et al.,**

Complainants,

v.

**The Cleveland Electric Illuminating
Company, Ohio Edison Company,
Toledo Edison Company, and
American Transmission Systems, Inc.**

Respondents.

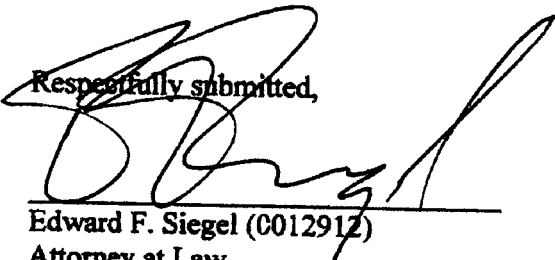
**CASE NO. 04-28-EL-CSS
05-803-EL-CSS
05-1011-EL-CSS
05-1012-EL-CSS**

**S.G. FOODS, INC.'S MOTION TO DISMISS
WITH PREJUDICE**

Complainant S.G. Foods, Inc. respectfully moves the Commission for an entry dismissing the Complaint in case number 04-28-EL-CSS in its entirety and with prejudice. The reasons for this motion are set forth in the attached Memorandum in Support.

Dated: Jan 14, 2008

Respectfully submitted,


Edward F. Siegel (0012912)
Attorney at Law
27600 Chagrin Blvd.
Suite 340
Cleveland, OH 44122

Attorney for S.G. Foods, Inc.

EXHIBIT A

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**CASE NO. 04-28-EL-CSS
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**MEMORANDUM IN SUPPORT OF S.G. FOODS INC.'S MOTION TO DISMISS
WITH PREJUDICE**

On January 13, 2004, Complainant S.G. Foods, Inc. (hereinafter, "S.G. Foods") filed a Complaint against Respondents FirstEnergy Corp., The Cleveland Electric Illuminating Company, Ohio Edison Company, Toledo Edison Company, and American Transmission Systems, Inc. (collectively, "Respondents"). S.G. Foods alleged claims against Respondents for inadequate service and/or facilities under Title 49 of the Ohio Revised Code.¹

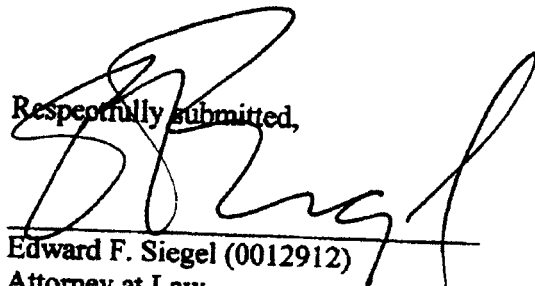
S.G. Foods no longer wishes to pursue its claims for inadequate service and/or facilities against Respondents. Therefore, S.G. Foods respectfully requests an entry dismissing case

¹ The Commission dismissed the Complaint against Respondent FirstEnergy Corp. by Entry dated March 7, 2006. S.G. Foods is the only remaining Complainant in case number 04-28-EL-CSS; the Commission dismissed all other Complainants in case number 04-28-EL-CSS by Entries dated August 12, 2004 and April 4, 2007.

number 04-28-EL-CSS in its entirety and with prejudice. Respondents do not oppose the dismissal of this case with prejudice. For all of these reasons, S.G. Food's Motion to Dismiss with Prejudice should be granted.

Dated: Jan 14, 2008

Respectfully submitted,



Edward F. Siegel (0012912)

Attorney at Law

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Cleveland, OH 44122

Attorney for S.G. Foods, Inc

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in

Case No(s). 04-0028-EL-CSS

Summary: Notice of withdrawal electronically filed by Mr. Edward F Siegel on behalf of S,G,
Foods