

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.	)	Case Nos. 04-28-EL-CSS
	)	05-803-EL-CSS
The Cleveland Electric Illuminating	)	05-1011-EL-CSS
Company, the Ohio Edison Company,	)	05-1012-EL-CSS
Toledo Edison Company, and American	)	
Transmission Systems, Inc.,	)	
	)	
Respondents.	)	

ENTRY

The Commission finds:

- (1) The complainants in these consolidated proceedings filed their complaints on January 12, 2004, June 21, 2005, and August 15, 2005. In each case, the complainants allege, *inter alia*, that the Cleveland Electric Illuminating Company, the Ohio Edison Company, Toledo Edison Company, and/or American Transmission Systems, Inc., (collectively, the respondents) failed to furnish necessary and adequate service and facilities to the complainants and that the service and/or facilities provided by one or more of those respondents were at least partially responsible for causing a widespread blackout on August 14, 2003, thereby causing financial harm to the complainants.
- (2) On January 9, 2008, Alok Bhaiji, M.D., Inc., a complainant in Case No. 05-803-EL-CSS, filed a notice of its voluntary dismissal, with prejudice, of all of its claims against the respondents in that case.
- (3) On January 17, 2008, Union House Bar & Restaurant, the only remaining complainant in Case No. 05-803-EL-CSS (following

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voluntary dismissal of claims of Alok Bhaiji, M.D., Inc.), filed a motion to dismiss its complaint, with prejudice.

- (4) On January 17, 2008, S. G. Foods, Inc., the only remaining complainant in Case No. 04-28-EL-CSS, filed a motion to dismiss its complaint, with prejudice.
- (5) On January 25 2008, Allianz US Global Risk Insurance Company, *et al.*, and Lexington Insurance Company, *et al.*, being all of the complainants in Case Nos. 05-1011-EL-CSS and 05-1012-EL-CSS, filed a motion to dismiss their complaints, with prejudice, on their own behalf, as subrogees of their insureds.
- (6) In light of the voluntary dismissal, with prejudice, of all claims and the motions for dismissal, with prejudice, of all complaints in the above-captioned proceedings, these cases should be dismissed, with prejudice.

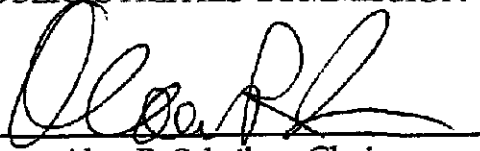
It is, therefore,

ORDERED, That the voluntary dismissal, by Alok Bhaiji, M.D., Inc., of all claims against the respondents in Case No. 05-803-EL-CSS be accepted. It is, further,

ORDERED, That Case Nos. 04-28-EL-CSS, 05-803-EL-CSS, 05-1011-EL-CSS, and 05-1012-EL-CSS be dismissed, with prejudice. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



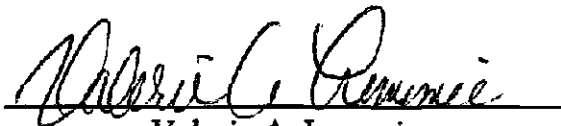
Alan R. Schriber, Chairman



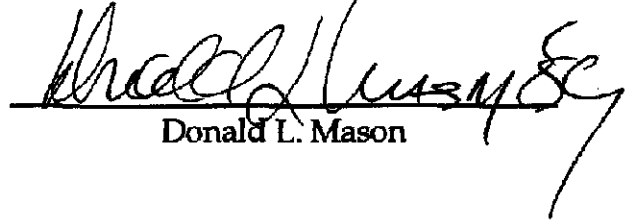
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie

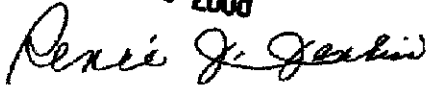


Donald L. Mason

JWK/CMTP;geb

Entered in the Journal

**FEB 05 2008**



Renee J. Jenkins  
Secretary