BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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CASE NO. 08-311-EL-CSS

JOINT MOTION TO DISMISS WITH PREJUDICE

On March 25, 2008, the above captioned case was initiated by Centro Properties Group (hereinafter "Complainant") by the filing of a Complaint against Columbus Southern Power d/b/a American Electric Power, Inc. (hereinafter "Respondent"). Complainant and Respondent have amicably resolved the issues set forth in that Complaint. Complainant and Respondent therefore hereby jointly seek to dismiss the Complaint with prejudice.

Respectfully Submitted,

David J. Butler (0068455) Trial Counsel E-Mail: <u>dbutler@cwslaw.com</u> Direct Dial: (614) 334-6167 Matthew White (0082859) E-Mail: <u>mwhite@cwslaw.com</u> Direct Dial: (614) 334-6172 Chester Willcox & Saxbe, LLP 65 East State Street, Suite 1000 Columbus, Ohio 43215 Telephone: (614) 221-4000 Facsimile: (614) 221-4012 Attorneys for Centro Properties Group

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MEMORANDUM IN SUPPORT

The parties have resolved all issues raised in the above styled Complaint and reached a settlement resolving all matters alleged in the Complaint. Therefore, by agreement, the parties respectfully request this Commission dismiss the above captioned case with prejudice.

Respectfully Submitted,

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ND: 4820-9275-6994, v. 1

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Joint Motion to Dismiss* with *Prejudice* was served upon the following parties via ordinary U.S. Mail, postage prepaid, or electronically on October 3, 2008:

Marilyn McConnell, Esq. American Electric Power 1 Riverside Plaza, 29th Floor Columbus, OH 43215

Marvin I. Resnik American Electric Power Service Corporation 1 Riverside Plaza, 29th Floor Columbus, OH 43215

Matthew S. White Attorney for Centro Properties Group

ND: 4833-4982-8867, v. 1