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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

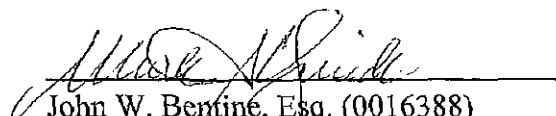
In the Matter of the Application of Aqua)
Ohio, Inc. For Authority to Assess a)
System Improvement Charge in the Lake)
Erie Division)

Case No. 08-1239-WW-SIC

NOTICE OF FILING PROOF OF PUBLICATION

Pursuant to paragraph 5 of the Commission's Entry dated December 2, 2008, Aqua Ohio, Inc., by and through its counsel, hereby files proof that the Legal Notice required by the Commission has been published in the general advertising sections of newspapers of general circulation in the affected service territory, within 14 days of the Commission's entry on December 2, 2008. The proof of publication of the Legal Notice are attached hereto as Aqua Exhibits A, B, C and D and is incorporated herein by reference.

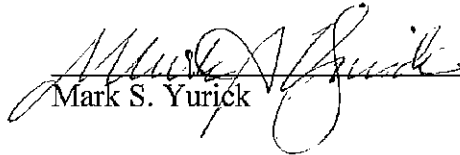
Respectfully submitted,


John W. Bentine, Esq. (0016388)
Counsel of Record
E-Mail: jwbentine@cwslaw.com
Direct Dial: (614) 334-6121
Mark S. Yurick, Esq. (0039176)
Direct Dial: (614) 334-7197
Email: myurick@cwslaw.com
Chester, Willcox & Saxbe LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215-4213
(614) 221-4000 (Main Number)
(614) 221-4012 (facsimile)
Attorneys for Aqua Ohio, Inc.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician AM Date Processed 1/24/09

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following parties of record or as a courtesy, via electronic transmission, or regular U.S. mail on January 20, 2009.


Mark S. Yurick

SERVICE LIST

Jeffrey Jones
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

Melissa Yost, Counsel of Record
Gregory J. Poulos
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485

struction, operation and regulation of wind energy systems within city limits. It was in response to a request from Willoughby Coal & Supply to build a wind turbine on its property. The company since its withdrawal its request and the ordinance has been tabled indefinitely.

"Technology is changing so fast," said Janice Lipscomb, Willoughby's community development manager. "What we may be regulating now, next year might be obsolete. We thought it would be better to take a wait-and-see attitude."

they are very interested in working with us."

In Geauga County, government officials have hosted multiple meetings on wind power, resulting in a number of residents expressing interest in the idea. However the discussions have yet to bear much tangible fruit.

"If you're residential, there's not a grant program out there for you right now," said Anita Stocker, the county economic and community development director. "You hate to tell someone (to) put a \$30,000 windmill up when they might have grants next year.

All-Wood Futon

\$299

Complete with 6" mattress

EXHIBIT

tabbles

A

SLEEP SOURCE

We Sell a Good Night's Sleep.



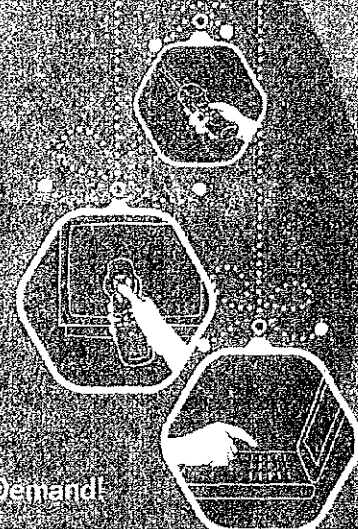
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or

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Sound. Plus On Demand!
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connection!
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and Call Forwarding

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Or choose the
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all the best

Save up to \$500!

FREE DVR Service

FREE Road Runner Turbo

LEGAL NOTICE Lake Erie Division

AQUA OHIO, INC., NOTICE OF APPLICATION TO ASSESS A SYSTEM IMPROVEMENT CHARGE BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

Public Notice is hereby given that on November 21, 2008 Aqua Ohio, Inc. filed with the Public Utilities Commission of Ohio an application entitled in the Matter of the Application of Aqua Ohio, Inc., For Authority to Assess a System Improvement Charge in the Lake Erie Division. The case number of the proceeding before the Public Utilities Commission of Ohio is 08-1239-WW-SIC.

A copy of the application is available for inspection at the Lake Erie Division, located at 8644 Station Street, Mentor, Ohio 44060-4316 (440-255-3421). Additionally, a copy of said application is available for inspection at the offices of the Public Utilities Commission of Ohio located at 180 East Broad Street, Columbus, Ohio 43266-0573. The filing may also be viewed on line at the Commission's docketing department website www.ohio.gov/puco/docketing/index.cfm.

In its application, the Company seeks to avail itself of the authority set forth in Ohio Revised Code section 4909.172 to assess a monthly system improvement charge on all metered and fire service customers. The purpose of the surcharge is to recover costs incurred related to replacement of certain qualifying infrastructure improvements, totaling over \$3.5 million, to its water distribution system since the last rate increase or system improvement charge approved by the Public Utilities Commission of Ohio. The application, if granted in full, will result in an additional 84 cents per month for an average residential customer using 5,000 gallons of water service bill of each customer and customers can contact the applicant toll-free at 877-987-2782 with any questions concerning the application.

Any person, firm, corporation or association may file comments regarding the proposed application with the Public Utilities Commission of Ohio. Any comments must be filed with the Public Utilities Commission of Ohio by January 15, 2009.



PAULA CREAMER,
champion professional golfer



UNSTOPPABLE.

PAULA CREAMER IS.
So is her Citizen Eco-Drive.

Fueled by light,
it never needs a battery.

IT'S UNSTOPPABLE.

The State of Ohio
Lake County, ss.

Jennifer Razon, being first duly sworn, says that he is the designated agent of The News-Herald, a newspaper printed and of general circulation in the County of Lake, County of Geauga, and other districts; and in compliance with sections 7.12 and 5721.1 of the revised code of the State of Ohio as amended, effective September 14, 1957; that the attached notice was published on the same day of each week for

a period of One day
consecutive weeks in said newspaper commencing

December 11, 2008

(Signed:) Jennifer Razon

Sworn to before me by said Jennifer Razon

and by him signed in my presence this 14th

day of January 2009

Notary Public Cynthia D. Buchanan

Cynthia D. Buchanan
Notary Public, STATE OF OHIO
My Commission Expires April 16, 2012
Recorded in Lake County, Ohio

Printer's Fee \$ 257.50
Affidavit \$
Total \$ 257.50

piece of wood. How-
man later discov-
i-gallon glass water
ottle that contained
s was missing from
desk in a first-floor

Suspicious call
Dec. 2. Caller claims to be real estate agent: A city woman reported she got a call from a woman who identified herself as a real estate

Nov. 26. Charges made at city business: A man reported someone used his credit card to make \$319 in purchases at a Macedonia Commons Boulevard busi-

— Northfield Village —

Arrest warrant
Dec. 8. Macedonia police turn in prisoner: Macedonia police reported

charged a 22-year-old Avenue man with first-misdemeanor theft arresting him at Cu-
Falls Municipal Cou-
Court for
misdemeanor
phernal
s, also f

CARE
at
UR
ing
HEALTH
Free Hearing"

Cardinal Union Hearing Centers
141 East Aurora Rd. Suite 3 • Northfield
330-468-4288
www.cardinalunionhearing.com
Office Hours: Mon.-Fri. 8:00 am - 4:00 pm
Early & Late Day Appointments Available

Audiologic Services
of-the-Art Testing Facility
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ing Available
ay Money Back



Dr. Richard S. Reikowski, Au.D.
Director of Audiology, Doctor of Audiology
& Staff

ask about our
nthly SPECIAL

Serving the Nordonia Hills area for over 15 years

ork with my Dedicated Professional Team to get
POSITIVE RESULTS!
Over 25 homes SOLD already this year!
Call TODAY. Add yours to the list!



Bill Varner
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willamvarner@howardhanna.com

Varner
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lmer J. Newness, D.D.S.
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For more info call: 330-657-2330

A HOLI
TRADITI
CUT YOUR OWN & FRESH CUT OHIO CHRISTMAS TREES
The fresh smell of evergreens.
The joy of finding the perfect Christmas Tree.
The warmth of hot chocolate by the fireplace.
Share in over 160 years of family tradition with us at Heritage Farms.
For easy transportation home, we shake, bale, and load your tree onto your car.
Need a map? Visit us at www.HeritageFarms.com

EXHIBIT
B

LEGAL NOTICE
Lake Erie Division

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In its application, the Company seeks to avail itself of the authority set forth in Ohio Revised Code section 4909.172 to assess a monthly system improvement charge on all metered and fire service customers. The purpose of the surcharge is to recover costs incurred related to replacement of certain qualifying infrastructure improvements, totaling over \$3.5 million, to its water distribution system since the last rate increase or system improvement charge approved by the Public Utilities Commission of Ohio. The application, if granted in full, will result in an additional 84 cents per month for an average residential customer using 5,000 gallons of water per month. The proposed surcharge would equal three percent of the total water service bill of each customer and customers can contact the applicant toll-free at 877-987-2782 with any questions concerning the application.

Any person, firm, corporation or association may file comments regarding the proposed application with the Public Utilities Commission of Ohio. Any comments must be filed with the Public Utilities Commission of Ohio by January 15, 2009.

to a report, the theft stemmed from a theft by the owner of a R business. Police said security video f showed the man al taking a \$48 bottle of without paying for i 21.
The man was releas \$50 bond.

Motor vehicle acc
Dec. 5. Police ci
following accident:
cited a 17-year-old Heights girl with fai allow an assured cle tance ahead, a minor meanor, after a boy, e reported she struck the his car while he was on Route 8 waiting to left turn on to Beech at about 10 p.m.

Police said there v injuries, and damage vehicles was minor.

Dec. 4. Deer run
following accident:
ton man reported he a deer while drivi Ledge Road near Lee Elementary School a 4:15 p.m.

Police said the m uninjured, and damag front of his car was "ate." The man said t got up following the a and ran away. Poli they searched the a the possibly injured d were unable to find it

Possible vandal
Nov. 28. Car v shattered: A Bre woman reported s may have hit her ca window while it was in the driveway of a Drive home, causin later shatter while s driving it.

The woman said th staying at the hom night, she was dri work when the wind denly shattered for n ent reason. When she window to have it re the woman said she v that it is possible the

The City Cafe
271 Route 8 (Next to Days Inn)
330-467-3994
GRAND OPENING

Record Publishing Co.

126 North Chestnut Street • Ravenna, OH 44266
(330) 296-9657 • Fax (330) 296-2698
www.recordpub.com

Publishers Affidavit

Before me, A Notary Public personally appeared **Bruce W. Bowers, Credit Manager**, who being duly sworn, deposes and says the following advertisements and/or inserts were published and/or distributed in the listed publications as requested:

DATE 12/10/2008 PUBLICATION: News Leader QUANTITY 10 inches

Legal notice for Aqua Ohio (see attached copy)

SIGNED

DATE

1-15-09

TITLE Credit Manager

State of: **Ohio** County Of: **Portage**

SWORN TO AND SUBSCRIBED BEFORE ME

THIS Day OF YEAR **2008**

Katherine E. Samodell

Notary Public

Katherine E. Samodell

My Commission Expires **September 13, 2009**

Aurora Advocate • Bedford Times-Register • Cuyahoga Falls News -Press
The Gateway News • Hudson Hub-Times • Maple Heights Press
The News Leader • Record-Courier • Mr. Thrifty • Stow Sentry
Tallmadge Express • Twinsburg Bulletin

Star Beacon of Ashtabula, Ohio

ASHTABULA STAR BEACON

CHESTER WILCOX & SAXBE
65 65 EAST STATE ST STE#1000
OH 43215

REFERENCE: A27920
2188516 legal notice

Before the undersigned, a Notary Public of said County and State duly authorized to administer oaths, affirmation, etc., personally appeared, being duly sworn or affirmed, according to law, doth depose and say that he/she is a representative of Community Newspaper Holdings Inc., a corporation organized and doing business under the laws of the State of Ohio, and publishing a newspaper known as the Star Beacon in the city of Ashtabula, and that as such he/she is familiar with the books, records, files, and business of said Corporation and by reference to the files of said publication that attached advertisement was inserted.

The following correctly copied from the books and files of the aforesaid Corporation.

PUBLISHED ON: 12/11

TOTAL COST: 433.00 AD SPACE: 18.000 INCH
FILED ON: 12/12/08

NAME: Donna Prine

TITLE: Legal Advertising Clerk

In Testimony Whereof, I have hereunto set my hand and affix my official seal, the day and year aforesaid:

NOTARY: [Signature] Commission Expires: 11-26-2011

EXHIBIT

C

LEGAL NOTICE

Former Lake Erie East Division

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have essentially become a regional phenomenon. All but four of the 37 executions this year occurred in the South and Texas, with Ohio and Oklahoma providing the exceptions. Half of the executions occurred in Texas, where 18 inmates were put to death.

Virginia executed four prisoners. Georgia and South Carolina executed three each; Florida, Oklahoma, Mississippi and Ohio each executed two and Kentucky executed one.

All of the executions in 2008 occurred after April 16, when a U.S. Supreme Court decision on the use of lethal injections ended what had been a de facto moratorium in place for almost seven

LOTTERY

Ohio: Wednesday: Classic Lotto, 4-16-17-19-21-34; Roll Cash 5, 4-7-14-27-35; Pick 3, 0-8-6; Pick 4, 6-3-5-9; Ten-Numbers Draw No. 986, 3-4-10-24-26-29-30-35-41-44-45-59-60-61-65-67-70-73-74; Day Drawings: Pick 3, 9-6-3; Pick 4, 5-1-7-5; Ten-Oh Numbers: Draw No. 985, 14-15-18-21-22-23-28-32-38-46-47-48-52-53-54-57-59-61-66-79.

Michigan: Wednesday: Midday Daily 3, 3-5-1; Midday Daily 4, 5-2-1-2; Daily 3, 5-4-4; Daily 4, 2-9-8-6; Fantasy 5, 4-23-31-32-38; Classic Lotto 47, 11-23-24-25-26-40; Keno, 3, 8, 10, 12, 14, 18, 23, 28, 30, 33, 43, 44, 50, 51, 52, 55, 56, 57, 58, 60, 64, 72.

Indiana: Wednesday: Midday Daily 3, 5-3-8; Midday Daily 4, 0-6-2-0; Midday Lucky 5, 4-7-17-23-35; Daily 3, 5-1-0; Daily 4, 3-5-3-4; Lucky 5, 12-16-18-20-32; Lotto, 21-25-28-30-35-46; Powerball, 6-15-24-37-41; 'Powerball', 37.

EXHIBIT

D

Gifts AN USE!



Convenient
for any
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Purchase

Denomination

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& 2 ProWashes
Only \$38

ing Stuffer?
e Car Wash

SH-N-FILL

an 419-636-4812



9-6 Sunday

LEGAL NOTICE

Former Norlick and Seneca Utilities Territory

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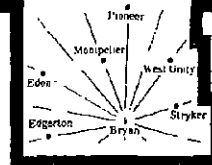
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**The
Bryan**

TIMES

P.O. BOX 471, BRYAN, OHIO 43506

(419) 636-1111
FAX: (419) 636-8937
www.bryantimes.com



Williams County's
Complete Home
Daily Newspaper

THIS IS TO CERTIFY THAT
CHESTER, WILLCOX, AND SAXBE
LLP INSERTED A LEGAL NOTICE
(AQUA OHIO, INC.) IN THE BRYAN
TIMES IN THE GENERAL SECTION
OF THE PAPER ON DECEMBER 11,
2008 AT A COST OF \$102.50.

JANICE E. CROCKER
Notary Public, State of Ohio
My Commission Expires January 12, 2009