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January 22, 2009

**Ms. Renee Jenkins, Director  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad St., 13<sup>th</sup> Fl.  
Columbus, Ohio 43215-3793**

Re: OCC Reply to AEP Motion to Strike filed in Case No. 08-917-EL-SSO et al.

Dear Ms. Jenkins:

On January 7, 2009, AEP filed a motion to strike a portion of the Brief that OCC and the Sierra Club, Ohio Chapter, filed on December 30, 2008. On January 14, 2009, OCC filed a Memorandum Contra the AEP motion to strike, and therein withdrew a limited portion of the Brief. OCC also stated the reasons why the Commission should deny the AEP motion to strike on grounds that the remaining portion of the Brief (that was subject to AEP's Motion) was appropriate legal argument and that AEP's motion was overly broad.

On January 16, 2009, AEP filed a Reply to OCC's Memorandum Contra, where its concerns included that Sierra Club had not joined in the OCC Memorandum Contra in which OCC withdrew the limited portion of the Brief. To clarify matters for the Commission and parties, Sierra Club, Ohio Chapter, hereby joins in OCC's withdrawal of the limited portion of the Brief, as fully described by OCC in its Reply of January 14th.

Respectfully submitted,

Henry W. Eckhardt

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**Attorney for The Sierra Club Ohio Chapter**

cc: Parties of Record

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