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Before
THE SUPREME COURT OF OHIO

Martin Marietta Magnesia Specialties, LLC.

Appellant,

VS

The Public Utilities Commission
of Ohio

Appellee.

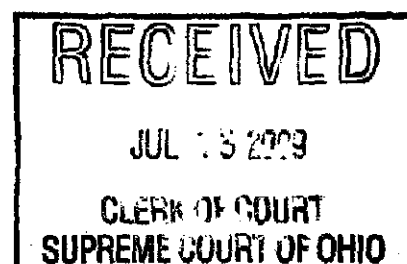
Supreme Court No. 09-1064

Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the complaint of
Martin Marietta Magnesia Specialties,
LLC. Vs. Toledo Edison
Company for the alleged violation of
statutory, regulatory, and contractual
duties relating to the provision of its
electric services.

Case No. 08-893-EL-CSS

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<u>7/17/2008</u>	Motion to consolidate plaintiff Martin Marietta Materials, LLC, case with cases involving common questions of law and fact currently pending before the Commission and memorandum in support filed by M.D. Dortch on behalf of complainant.	2
<u>7/18/2008</u>	Complainant service letter and copy of complaint mailed to: Leila Vespoli, The Toledo Edison Company.	3
<u>7/18/2008</u>	Complaint response letter and copy of brochure mailed to: Michael Dortch , complainant.	4
<u>7/23/2008</u>	Joint stipulation of facts by and between Martin Marietta Magnesia Specialties, LLC filed by M. Dortch and The Toledo Edison Company filed by M. Hayden.	5
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<u>8/6/2008</u>	Exhibits submitted for electronically filed transcript that was held on Wednesday, July 23, 2008 before Christine Pirik, Hearing Examiner.	Exh.
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<u>8/26/2008</u>	Joint post hearing brief of the complainants filed by T. O'Brien on behalf of Worthington Industries, Brush Wellman, Inc. and Pilkington North America, Inc.; by D. Grodhaus on behalf of The Calphalon Corporation; by C. Smith on behalf of Kraft Foods Global, Inc.; by M. Dortch on behalf of Martin Marietta Magnesia Specialty Materials, LLC.	7
<u>9/26/2008</u>	Joint reply of complainants filed by T. O'Brien on behalf of Worthington Industries, Brush Willman, Inc. and Pilkington North America, Inc; D. Grodhaus on behalf of Calphalon Corporation; C. Smith on behalf of Kraft Foods Global, Inc.; and M. Dortch on behalf of Martin Marietta Magnesia Specialty Materials, LLC.	8
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<u>2/19/2009</u>	Opinion and order that this case be dismissed.	10
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<u>3/30/2009</u>	Respondent's memorandum in opposition to complainants' joint application for rehearing filed by J. Lang on behalf of the Toledo Edison Company.	12
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CERTIFICATION

I, Renee' J. Jenkins, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-14, the **Opinion and Order dated 2/19/2009** and the **Entry on rehearing dated 4/15/2009** inclusive; and the Certification of the record in Case No. **08-893-EL-CSS**.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 13th day of July, 2009.

Betty McCauley

Renee' J. Jenkins, Secretary
Betty McCauley, Acting Secretary
Mariruth C. Wright, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO