

**FILE****Office of the Ohio Consumers' Counsel***Your Residential Utility Consumer Advocate*

Janine L. Migden-Ostrander
Consumers' Counsel

October 1, 2009

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Attorney for Appellee
Senior Deputy Attorney General
Public Utilities Commission of Ohio
180 East Broad Street, 9th Floor
Columbus, Ohio 43215-3793

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PUCO

Re: *In the Matter of Vectren Energy Delivery of Ohio, Inc.,*
PUCO Case No. 07-1080-GA-AIR, et al.

07-1081-6A ALT

On Appeal in: Office of the Ohio Consumers' Counsel v. Public Utilities Commission,
Supreme Court Case No. 09-1547

Dear Counsel for the PUCO:

Without waiving or conceding any arguments with respect to the notice provision in R.C. 4903.16, the Office of the Ohio Consumers' Counsel ("OCC") hereby docket and gives notice to the Public Utilities Commission of Ohio ("PUCO" or "Commission") of OCC's intent to file a motion at the Ohio Supreme Court, on or after October 5, 2009, for a stay of the Commission's decisions and Orders in the above-captioned cases.

The stay will be directed to preventing Stage 2 straight fixed variable rate design from being implemented for Vectren Energy Delivery of Ohio ("Vectren" or "VEDO"). In the absence of a stay, the Commission's Order granting Vectren the authority to implement the Stage 2 increase to the fixed monthly customer charge, scheduled to go into effect on or about February 22, 2010, will irreparably harm Vectren's residential customers.

Sincerely,


Maureen R. Grady
Assistant Consumers' Counsel

cc: Parties to PUCO Cases 07-1080-GA-AIR, et al.

PUCO (by Docketing)

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