

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Water)
and Sewer LLC for an Increase in its Rates) Case No. 08-227-WS-AIR
and Charges.)

ENTRY

The Commission finds:

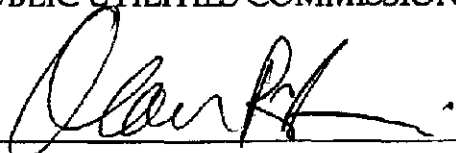
- (1) By motion filed in this matter on December 11, 2008, Water and Sewer LLC (W&S) requested that the company's application for an increase in rates and charges for water and sewer service be bifurcated, and that the portion of the application seeking an increase in water rates be held in abeyance pending the substitution of the City of Cleveland Department of Public Utilities, Water Division (Cleveland Water Division) as the provider of water service to the customers formerly served by W&S. The Commission granted W&S's motion by entry issued on December 19, 2008, in this docket, Case No. 08-227-WS-AIR (08-227).
- (2) On November 23, 2009, W&S filed an application in Case No. 09-1842-WS-UNC (09-1842), *In the Matter of the Application of Water and Sewer LLC Seeking to Cancel its Certificate of Public Convenience No. 37 (Water) and to Substitute Service*, seeking authority to terminate operations as a water-works public utility. As part of the underlying agreement substituting the Cleveland Water Division as the water provider, W&S was required to withdraw the water portion of the 08-227 application upon termination of W&S's water operations.
- (3) On December 15, 2009, the Cleveland Water Division commenced serving the water customers formerly served by W&S. In accordance with the Commission's December 9, 2009, finding and order in 09-1842, W&S hereby withdraws the water portion of the application in 08-227 and requests that the 08-227 case be closed of record.
- (4) The Commission finds the request to withdraw the water portion of the application and to close this case of record to be well-made. Accordingly, the request is granted.

It is, therefore,

ORDERED, That the request to withdraw the water portion of the application and to close this case of record be granted as set forth in finding 4. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Paul A. Centolella


Ronda Hartman Fergus



Valerie A. Lemmie


Cheryl L. Roberto

JRJ/vrm

Entered in the Journal

JAN 07 2010


Renee J. Jenkins
Secretary