

FILE

CITIZEN POWER

Public Policy Research Education and Advocacy

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January 11, 2010

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

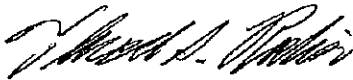
Re: Case No. 09-786-EL-UNC

Dear Docketing Division:

Enclosed please find for filing an original and (12) twelve copies of correspondence from *Citizen Power, Inc.* regarding their Initial Comments in the above-referenced proceeding filed on December 14, 2009.

If you have any questions, please contact me at (412) 421-7029.

Sincerely,



Theodore S. Robinson, Esquire
Staff Attorney
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217

Cc: Certificate of Service

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CITIZEN POWER

Public Policy Research Education and Advocacy

January 11, 2010

Ms. Renee Jenkins, Secretary
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793


Re: Case No. 09-786-EL-UNC

Dear Ms. Jenkins:

Upon further consideration, Citizen Power respectfully requests that their Initial Comments in Case No. 09-786-EL-UNC, filed on December 14, 2009, be withdrawn and that this letter be placed in the record indicating Citizen Power's support for the Joint Comments of The Office of Ohio Consumers' Counsel, The Ohio Manufacturers' Association, The Ohio Energy Group, and The Hospital Association filed on December 14, 2009.

Citizen Power does not make this request lightly. However, upon review of the evidence, Citizen Power believes that the Staff's standard deviation method may result in instances where significantly excessive earnings are not properly identified. Therefore, we find it necessary to modify our position in this matter.

Sincerely,

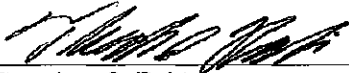


Theodore S. Robinson, Esquire
Staff Attorney
Citizen Power
2121 Murray Avenue
Pittsburgh, PA 15217

Cc: Certificate of Service

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing correspondence from *Citizen Power, Inc.* regarding their Initial Comments in the above-referenced proceeding was served by Regular U.S. Mail Service, postage prepaid, to all parties this 11th day of January, 2010.


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Citizen Power

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