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Dominion East Ohio  
1201 East 55<sup>th</sup> Street, Cleveland, OH 44103

PUCO

February 10, 2010

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

**Re: Dominion East Ohio Standard Choice Offer Auction  
Case No. 07-1224-GA-EXM**

Dear Ms. Jenkins,

The East Ohio Gas Company d.b.a. Dominion East Ohio ("DEO") has read the letter filed by the Ohio Consumers' Counsel ("OCC") in the above captioned proceeding. Although the letter is captioned in the Commission's Docketing Information System as a "Notice of Support," DEO is nonetheless perplexed by OCC's contention that "it has never been demonstrated that the standard choice offer ["SCO"] auction format provides greater value than a standard service offer auction," citing as one reason the "higher sales tax rate" imposed on SCO customers.

OCC's statements might lead one to conclude that OCC has never supported such an approach. Such a conclusion would be incorrect. In fact, OCC signed a Stipulation and Recommendation in this very proceeding on April 10, 2008, in which it agreed that "SCO service will be provided as Energy Choice commodity service rather than DEO-provided sales service and, as such, will be subject to applicable sales and use tax." That provision marked a change from the application filed by DEO which would have maintained SCO service as a form of sales service on which Gross Receipt Tax would have been applied.

DEO appreciates OCC's support of the February 9, 2010, auction result. However, OCC's criticism of an auction format and taxation structure that it agreed to adopt as a modification to the originally filed application is disingenuous.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeffrey A. Murphy'.

Jeffrey A. Murphy  
Managing Director, Commercial Operations  
Dominion East Ohio

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