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To: PUCO Docketing Division **Date:** April 19, 2010
Firm: **From:** Kathy J. Kolich, Esquire
Fax #: 614-466-0313 **Pages:** 4(including cover page)
Subject: *Joint Motion to Dismiss*
Mr. Lester Lemke v. The Toledo Edison Company
Case No. 07-514-EL-CSS

Comments: Following is the Joint Motion to Dismiss regarding the above case. The original and the required number of copies will be sent via overnight mail for delivery Tuesday, April 20, 2010. Please call me if you have any questions. Thank you.

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76 South Main Street
Akron, Ohio 44308

Kathy J. Kelleh
Senior Attorney

330-384-4580
Fax: 330-384-3875

*Via Federal Express
and Facsimile (614-466-0313)*

April 19, 2010

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

Dear Ms. Jenkins:

*Re: Joint Motion to Dismiss
Mr. Lester Lemke v. The Toledo Edison Company
Case No. 07-514-EL-CSS*

Enclosed for filing, please find the original and twelve (12) copies of Joint Motion to Dismiss. Please file the enclosed Joint Motion in the above-referenced docket, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kathy J. Kelleh".

kag
Enclosures

cc: Parties of Record

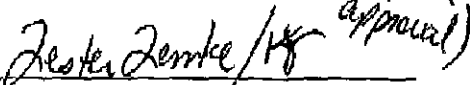
BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

Mr. Lester Lemke,)	
)	
Complainant,)	
)	
vs.)	CASE NO. 07-514-EL-CSS
)	
The Toledo Edison Company,)	
)	
Respondent.)	

JOINT MOTION OF LESTER LEMKE AND
THE TOLEDO EDISON COMPANY
TO DISMISS THE INSTANT ACTION AND MEMORANDUM IN SUPPORT

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code,
Complainant, Mr. Lester Lemke, and Respondent, The Toledo Edison Company, jointly
move for the dismissal of the instant action with prejudice on the grounds that all issues
giving rise to the Complaint have been amicably resolved.

Respectfully submitted,

(for telephone approval)

Lester Lemke, Complainant
3270 State Route 590
Elmore, OH 43416

Respectfully submitted,


Kathy J. Kolich (Reg. No. 0038855)
Senior Attorney
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Telephone: 330-384-4580
Fax: 330-384-3875

On behalf of The Toledo Edison
Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the Parties' Joint Motion to Dismiss was served upon the individuals listed below by regular U.S. Mail, postage prepaid, this 19th day of April, 2010.


Kathy J. Kolich, Esquire

Lester Lemke
3270 State Route 590
Elmore, OH 43416

Brian A. and Christy G. Malott
1010 Sandusky County Road 308
Bellevue, OH 44811

Richard C. Reese, Esq.
Office of The Ohio Consumers' Counsel
Suite 1800
10 West Broad Street
Columbus, OH 43215-3485

Gerald Giesler
16454 W. Yeasting Road
Elmore, OH 43416

Mark A. Whitt
Carpenter Lipps & Leland, LLP
280 Plaza Suite 1300
280 North High Street
Columbus, OH 43215