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Y.

Case No. 99-988-WW-CS5

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Respondent.

ENTRY

The Commission finds:

- (1) On August 23, 1999, Herbert Schirtzinger (complainant) filed a complaint against Citizens Utilities Company of Ohio (Citizens) alleging that the respondent acted negligently in cleaning out its blocked sewer lines, resulting in damages and losses for the complainant. On September 10, 1999, Citizens filed an answer to the complaint essentially denying all of its material allegations.
- (2) A prehearing settlement conference was held, as scheduled, on December 20, 1999. Although no settlement was reached on that day, thereafter, the parties continued working towards settlement.
- (3) On May 29, 2000, the complainant filed an application to withdraw the complaint. The notice states that the parties have resolved the matters raised in the proceeding and that the complaint is withdrawn.
- (4) Given the mutual settlement of the issues raised in the complaint, this case shall be dismissed.

It is, therefore,

ORDERED, That the complaint filed in this case be dismissed at the request of the complainants, and that this docket be closed as a matter of record. 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

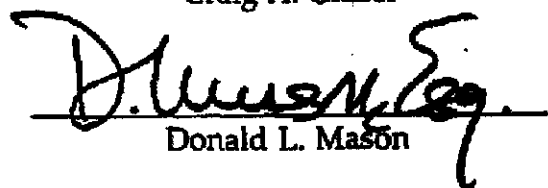


Ronda Hartman Fergus



Craig A. Glazer

Judith A. Jones




Donald L. Mason

DEF:geb

Entered in the Journal

JUN 22 2000

A True Copy



Gary E. Agorito
Secretary

SERVICE NOTICE

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CASE NUMBER 99-988-WS-CSS
CASE DESCRIPTION HERBERT SCHIRTZINGER/CITIZENS UTIL
DOCUMENT SIGNED ON June 22, 2000
DATE OF SERVICE 6-23-2000

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

COMPLAINANT

HERBERT SCHIRTZINGER
5815 HARBOR BLVD.
COLUMBUS, OH 43232

MICHAEL P. VASKO
STRIP, FARGO, SCHULMAN & HOPPERS CO
575 SOUTH THIRD STREET
COLUMBUS, OH 43215

RESPONDENT

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