

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**FOREST HILLS SUPERMARKET, INC.,)
d/b/a KONNIS FAMILY FOODS,)
Complainant,)
v.)
THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY,)
Respondent.)**

Case No. 09-800-EL-CSS

PUCO

2010 JUL 21 AM 11:52

RECEIVED-DOCKETING DIV.

JOINT MOTION TO DISMISS

Now come Complainant Forest Hills Supermarket, Inc. d/b/a Konnis Family Foods and Respondent The Cleveland Electric Illuminating Company, who hereby jointly move to dismiss this action with prejudice. The parties have settled their dispute in this case, and respectfully request that this action be dismissed with prejudice.

DATED: July 21, 2010

**This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Technician SS Date Processed 7/21/10**

Fred Papalardo / GWG
by
email
authority

Fred S. Papalardo
(Counsel of Record)
Reminger Co., L.P.A.
1400 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115-1093
Telephone: (216) 687-1311
Facsimile: (216) 687-1841
E-mail: fpapalardo@reminger.com

ATTORNEY FOR COMPLAINANT
FOREST HILLS SUPERMARKET, INC.
d/b/a KONNIS FAMILY FOODS

Grant W. Garber

Grant W. Garber (0079541)
(Counsel of Record)

JONES DAY

Mailing Address:

P.O. Box 165017
Columbus, OH 43216-5017

Street Address:

325 John H. McConnell Boulevard, Suite 600
Columbus, OH 43215-2673

Telephone: (614) 469-3939

Facsimile: (614) 461-4198

gwggarber@jonesday.com

David A. Kutik (0006418)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, OH 44114

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

dakutik@jonesday.com

Mark A. Hayden (0081077)

FirstEnergy Service Company

76 South Main Street

Akron, OH 44308

Telephone: (330) 761-7735

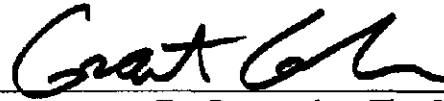
Facsimile: (330) 384-3875

haydenm@firstenergycorp.com

ATTORNEYS FOR RESPONDENT
THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Joint Motion to Dismiss was delivered to the following person by first class mail, postage prepaid, and e-mail this 21st day of July, 2010:



An Attorney For Respondent The Cleveland
Electric Illuminating Company

Fred S. Papalardo, Esq.
Reminger Co., L.P.A.
1400 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115-1093
FPapalardo@reminger.com