

THE PUBLIC UTILITIES COMMISSION OF OHIO

Respondent.

Case No. 09-1081-GE-CSS

The Commission finds:

- (1) On November 9, 2009, Michael Todd Dawson (complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke) questioning his natural gas and electric service rates and the manner in which those services are metered. Specifically, complainant questions Duke's billing for natural gas and electric services for the common areas of two buildings that contain rental properties.
- (2) On November 30, 2009, Duke filed its answer to the complaint, as well as a motion to dismiss, denying the allegations in the complaint, and stating that Duke has not violated any rule, regulation, or tariff provision. Duke also asserts that the complainant has failed to set forth reasonable grounds for the complaint.
- (3) By entry issued on September 15, 2010, this matter was set for a hearing on October 29, 2010. By entry issued October 20, 2010, the hearing was held in abeyance pending the filing of a motion to dismiss.
- (4) On October 25, 2010, the complainant and Duke filed a joint motion to dismiss of all of the complainant's claims in this case, with prejudice, stating that the parties have settled this matter and that all issues raised in the complaint have been resolved.
- (5) The Commission finds that the parties' request to dismiss the complaint, with prejudice, is reasonable and should be granted.

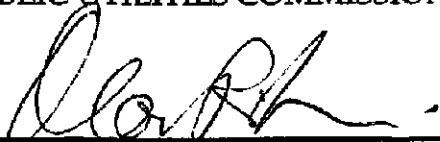
It is, therefore,

ORDERED, That the parties' request to dismiss the complaint, with prejudice, be granted. It is, further,

ORDERED, That Case No. 09-1081-GE-CSS be dismissed with prejudice. 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

Paul A. Centolella



Valerie A. Lemmie

Steven D. Lesser

Cheryl L. Roberto

KLS/dah

Entered in the Journal

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Renee J. Jenkins
Secretary