

**FILE**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

3  
RECEIVED-DOCKETING DIV  
2010 DEC 17 PM 5:24  
PUCO

In the Matter of the Application of Duke Energy )  
Ohio for Approval of a Market Rate Offer to )  
Conduct a Competitive Bidding Process for )  
Standard Service Offer Electric Generation )  
Supply, Accounting Modifications, and Tariffs for )  
Generation Service. )

Case No. 10-2586-EL-SSO

---

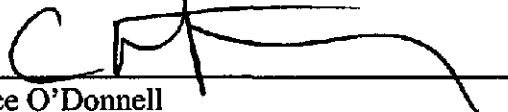
**NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL  
FOR OHIO ADVANCED ENERGY**

---

Pursuant to Rule 4901-1-08 of the Ohio Administrative Code, notice is hereby given that Christopher Montgomery of the law firm of Bricker & Eckler is hereby substituted for Matthew W. Warnock as counsel for Ohio Advanced Energy.

Furthermore, and pursuant to Rule 4901-1-08(G) of the Ohio Administrative Code, Matthew W. Warnock withdraws as counsel for OAE in the above-captioned proceeding. Terrence O'Donnell remains counsel of record for OAE.

Respectfully submitted on behalf of  
OHIO ADVANCED ENERGY



Terrence O'Donnell  
Christopher Montgomery  
BRICKER & ECKLER LLP  
100 South Third Street  
Columbus, OH 43215-4291  
Telephone: (614) 227-2300  
Facsimile: (614) 227-2390  
E-mail: [todonnell@bricker.com](mailto:todonnell@bricker.com)  
[cmontgomery@bricker.com](mailto:cmontgomery@bricker.com)

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 \_\_\_\_\_ Date Processed DEC. 17 2010

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served upon the parties of record listed below this 17<sup>th</sup> day of December 2010 *via* electronic mail.

  
Christopher Montgomery

Amy B. Spiller  
Associate General Counsel  
Elizabeth H. Watts  
Assistant General Counsel  
Rocco O. D'Ascenzo  
Senior Counsel  
Duke Energy Business Services  
139 East Fourth Street, 1313-Main  
Cincinnati, OH 45202

John W. Bentine  
Mark Yurick  
Matthew S. White  
Chester, Wilcox & Saxbe, LLP  
65 East State Street, Suite 1000  
Columbus, Ohio 43215-4213  
[jbentine@cwslaw.com](mailto:jbentine@cwslaw.com)  
[myurick@cwslaw.com](mailto:myurick@cwslaw.com)  
[mwhite@cwslaw.com](mailto:mwhite@cwslaw.com)

David F. Boehm  
Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, OH 45202  
[dboehm@bkllawfirm.com](mailto:dboehm@bkllawfirm.com)  
[mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)

Michael D. Dortch  
Kravitz, Brown & Dortch, LLC  
65 East State Street, Suite 200  
Columbus, OH 43215  
[mdortch@kravitzllc.com](mailto:mdortch@kravitzllc.com)

Ann M. Hotz  
Kyle L. Verrett  
Jody M. Kyler  
Office of the Ohio Consumers' Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485  
[hotz@occ.state.oh.us](mailto:hotz@occ.state.oh.us)  
[verret@occ.state.oh.us](mailto:verret@occ.state.oh.us)  
[kyler@occ.state.oh.us](mailto:kyler@occ.state.oh.us)

William T. Reisinger  
Nolan Moser  
Trent A. Dougherty  
Ohio Environmental Council  
1207 Grandview Avenue, Suite 201  
Columbus, Ohio 43212-3449  
[will@theoec.org](mailto:will@theoec.org)  
[nolan@theoec.org](mailto:nolan@theoec.org)  
[trent@theoec.org](mailto:trent@theoec.org)

Samuel Randazzo  
Joseph Oilker  
McNees Wallace & Nurick LLC  
21 East State Street, 17<sup>th</sup> Floor  
Columbus, OH 43215  
[sam@mwncmh.com](mailto:sam@mwncmh.com)  
[joliker@mwncmh.com](mailto:joliker@mwncmh.com)

Mark A. Hayden  
FirstEnergy Service Company  
76 South Main Street  
Akron, OH 44308  
[haydenm@firstenergycorp.com](mailto:haydenm@firstenergycorp.com)

David A. Kutik  
Jones Day  
North Point  
901 Lakeside Avenue  
Cleveland, OH 44114  
[dakutik@jonesday.com](mailto:dakutik@jonesday.com)

M. Howard Petricoff  
Stephen M. Howard  
Vorys, Sater, Seymour, and Pease LLP  
52 East Gay Street  
PO Box 1008  
Columbus, OH o 43216-1008  
[mhpetricoff@vorys.com](mailto:mhpetricoff@vorys.com)  
[smhoward@vorys.com](mailto:smhoward@vorys.com)

Grant W. Garber  
Jones Day  
325 John H. McConnell Blvd., Suite 600  
Columbus, OH 43215-2673  
[gwggarber@jonesday.com](mailto:gwggarber@jonesday.com)

Mary Christensen  
Counsel for People Working Cooperatively,  
Inc.  
8760 Orion Place, Suite 300  
Columbus OH 43240  
[mchristensen@columbuslaw.org](mailto:mchristensen@columbuslaw.org)

Barth E. Royer  
Bell & Royer Co., LPA  
33 South Grant Avenue  
Columbus, Ohio 43215  
[barthrover@aol.com](mailto:barthrover@aol.com)

Gary A. Jeffries  
Senior Cotmsel  
Dominion Resoiuces Services, Inc.  
501 Martindale Stteet, Suite 400  
Pittsburgh, PA 15212  
[Garv.A.Jeffries@dom.com](mailto:Garv.A.Jeffries@dom.com)

Thomas J. O'Brien  
Counsel for the City of Cincinnati  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, Ohio 43215  
[tobrien@bricker.com](mailto:tobrien@bricker.com)

Douglas E. Hart  
Attorney for The Greater  
Cincinnati Health Council  
441 Vine Street, Suite 4192  
Cincinnati, OH 45202  
[dhart@douglasshart.com](mailto:dhart@douglasshart.com)

David C. Rinebolt  
Colleen L. Mooney  
Ohio Partners for Affordable Energy  
231 West Lima Street  
P.O. Box 1793  
Findlay, OH 45839-1793  
[drinebolt@ohiopartners.org](mailto:drinebolt@ohiopartners.org)  
[cmooney2@columbus.rr.com](mailto:cmooney2@columbus.rr.com)

Cynthia Fonner Brady  
Senior Counsel  
Constellation Energy Resources LLC  
550 W. Washington St., Suite 300  
Chicago, IL 60661  
[Cynthia.brady@constellation.com](mailto:Cynthia.brady@constellation.com)

Steven Beeler  
John Jones  
Assistant Attorneys General  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215  
[Steven.beeler@puc.state.oh.us](mailto:Steven.beeler@puc.state.oh.us)  
[John.iones@puc.state.oh.us](mailto:John.iones@puc.state.oh.us)