

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV.
2011 JUL 18 PM 12:30
PUCO

Kathryn Franklin
9711 Windcrest Drive
Cincinnati, OH 45231

Complainant,

v.

Duke Energy Ohio, Inc.

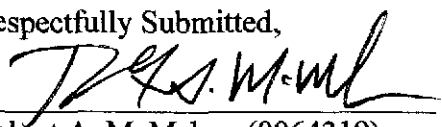
Respondent.

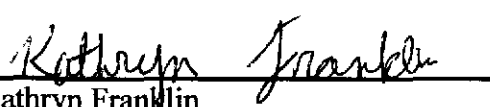
Case No. 11-2350-GE-CSS

**JOINT MOTION TO DISMISS COMPLAINT OF KATHRYN FRANKLIN AND
RESPONDENT DUKE ENERGY OHIO, INC**

Complainant Kathryn Franklin and Respondent Duke Energy Ohio, Inc. respectfully request that the Commission dismiss the above-captioned complaint with prejudice as the parties have settled this matter and all issues raised in the complaint have been resolved.

Respectfully Submitted,


Robert A. McMahon (0064319)
Eberly McMahon LLC
2321 Kemper Lane, Suite 100
Cincinnati, OH 45206
513-533-3441
513-533-3554 Fax


Kathryn Franklin
9711 Windcrest Drive
Cincinnati, OH 45231

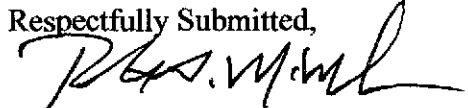
Attorney for Respondent,
Duke Energy Ohio, Inc.

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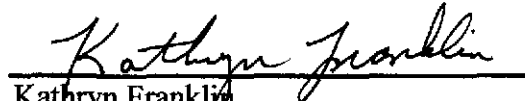
MEMORANDUM IN SUPPORT

The parties have resolved all issues raised in the above styled complaint and reached a settlement that is to the satisfaction of both parties. Therefore, by agreement, the parties respectfully request this Commission dismiss the above captioned case with prejudice.

Respectfully Submitted,



Robert A. McMahon (0064319)
Eberly McMahon LLC
2321 Kemper Lane, Suite 100
Cincinnati, OH 45206
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513-533-3554 Fax



Kathryn Franklin
9711 Windcrest Drive
Cincinnati, OH 45231

Attorney for Respondent,
Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Joint Motion to Dismiss, was served on the following by first class U.S. mail, postage prepaid, on this 15th day of July, 2011.

Kathryn Franklin
9711 Windcrest Drive
Cincinnati, OH 45231



Robert A. McMahon