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Before
THE SUPREME COURT OF OHIO

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City of Reynoldsburg, Ohio)
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Appellant,)
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VS)
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The Public Utilities Commission)
of Ohio)
)
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)
)
Appellee.)

Supreme Court No. 11-1274

Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the of the complaint)
of the City of Reynoldsburg vs. Columbus)
Southern Power Company for the alleged)
unfair and unjust billing practices)
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Case No. 08-846-EL-CSS

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INDEX AND DOCKET ENTRIES

ICN

<u>7/1/2008</u>	In the matter of the complaint of the City of Reynoldsburg vs. <i>Columbus Southern Power Company</i> for the alleged unfair and unjust billing practices.	1
<u>7/2/2008</u>	Complaint response letter and copy of brochure mailed to: William F. Underwood, City of Reynoldsburg, complainant.	2
<u>7/2/2008</u>	Complaint service letter and copy of complaint mailed to: Marvin Resnik, Columbus Southern Power Company.	3
<u>7/22/2008</u>	Answer of Columbus Southern Power Company filed by S. Nourse.	4
<u>11/24/2008</u>	Entry ordered that this matter is scheduled for a settlement conference on Thursday, December 4, 2008, to begin at 10:00 A.M. in Hearing Room 11-B on the 11th floor of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. (JKS)	5
<u>12/22/2008</u>	Entry ordering that this matter be scheduled for a case status conference January 21, 2009 to begin at 10:00 a.m., in Hearing Room 11-B, on the 11th floor of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. (JS)	6
<u>1/27/2009</u>	Notice that John W. Bentine is designated as trial attorney for the complainant City of Reynoldsburg filed by G. Gosnell II.	7
<u>2/5/2009</u>	Entry ordered that a hearing be held on November 17-19, 2009, at 10:00 A.M. in Hearing Room 11-G, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215; ordered that all discovery request should be served on later that September 25, 2009. (JSA)	8
<u>9/25/2009</u>	Notice of substitution of trial attorney filed by M. Yurick on behalf of City of Reynoldsburg, Complainant.	9

<u>10/26/2009</u>	Entry ordering that the hearing be rescheduled to December 2-4, 2009 at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, OH 43215; that parties agreed to file, by October 30, 2009, an identification of all issues raised in the context of this complaint case and any proposed stipulations; that all direct expert testimony be filed on or before November 20, 2009; that initial briefs be filed on January 22, 2010 and reply briefs be filed on February 5, 2010. (JA)	10
<u>10/30/2009</u>	Letter stating that the parties needed more time to prepare the requested items electronically filed by Mr. Matthew J. Satterwhite on behalf of Columbus Southern Power Company.	11
<u>11/5/2009</u>	Agreed statement of facts and legal issues filed by M. Yurick on behalf of the City of Reynoldsburg and S. Nourse on behalf of Columbus Southern Power Company.	12
<u>11/9/2009</u>	Corrected Exhibit G for the agreed Statement of Facts and Legal Issues electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company and M. Yurik on behalf of the City of Reynoldsburg.	Exh.
<u>11/10/2009</u>	Correct Exhibit G for the agreed statement of facts and legal issues part 2 of 2; electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company.	Exh.
<u>11/20/2009</u>	Direct testimony of Robert L. McPherson on behalf of the City of Reynoldsburg, Ohio filed by J. Bentine.	13
<u>11/20/2009</u>	Direct testimony of Sharon Reichard on behalf of the City of Reynoldsburg, Ohio filed by J. Bentine.	14
<u>11/20/2009</u>	Pre-filed direct testimony of Selwyn J. Diaz on behalf of Columbus Southern Power Company filed by S. Nourse.	15
<u>12/21/2009</u>	Exhibits for hearing held December 2, 2009 before AE's J. Agranoff and M.H. Phillips-Gary.	Exh.
<u>12/21/2009</u>	Transcript for hearing held on 12/02/09, electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and K. Gibson.	Trans.
<u>1/22/2010</u>	Initial brief of the City of Reynoldsburg filed by M. Yurick.	16

<u>1/22/2010</u>	Post Hearing Brief of Columbus Southern Power Company electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company.	17
<u>2/5/2010</u>	Reply brief filed on behalf of Columbus Southern Power Company by S. Nourse.	18
<u>2/5/2010</u>	Reply brief of the City of Reynoldsburg filed by J. Bentine.	19
<u>2/9/2010</u>	Motion to strike limited portions of the reply brief of the City of Reynoldsburg, electronically filed by Mr. Matthew J. Satterwhite on behalf of Columbus Southern Power Company.	20
<u>2/12/2010</u>	Reynoldsburg's motion to accept corrected citations in Reynoldsburg's initial brief filed by J. Bentine.	21
<u>2/12/2010</u>	Reynoldsburg's memorandum in opposition to CSP's motion to strike limited portions of the reply brief of the City of Reynoldsburg filed by J. Bentine.	22
<u>2/17/2010</u>	Motion for oral argument and memorandum in support filed by M. Yurick on behalf of the City of Reynoldsburg.	23
<u>2/19/2010</u>	Reply memorandum in support of its motion to strike limited portions of the reply brief of the City of Reynoldsburg, electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company.	24
<u>2/22/2010</u>	Memorandum Contra Reynoldsburg's motion to accept corrected citations in Reynoldsburg's Initial Brief electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company	25
<u>2/24/2010</u>	Reply memorandum in support of Reynoldsburg's motion to accept corrected citations in Reynoldsburg's initial brief filed by M. Yurick on behalf of the City of Reynoldsburg.	26
<u>3/1/2010</u>	Memorandum contra Reynoldsburg's motion for oral argument electronically filed by Mr. Matthew J Satterwhite on behalf of Columbus Southern Power Company.	27
<u>3/5/2010</u>	Reply memorandum in support of Reynoldsburg's motion for oral argument filed by M. Yurick on behalf of the City of Reynoldsburg.	28

<u>4/5/2011</u>	Opinion and order that Reynoldsburg's allegation that paragraph 17 of CSP's tariff is unjust, unreasonable, or unlawful is denied; CSP's motion to strike limited portions of Reynoldsburg's reply brief is granted; Reynoldsburg's motion to accept corrected citations in its initial brief is granted in part and denied in part; Reynoldsburg's motion for oral argument is denied.	29
<u>5/4/2011</u>	Application for rehearing of The City of Reynoldsburg filed by J. Bentine	30
<u>5/13/2011</u>	Columbus Southern Power Company's memorandum contra application for rehearing filed by M. Satterwhite on behalf of the City of Reynoldsburg.	31
<u>6/1/2011</u>	Entry on Rehearing ordered that Reynoldsburg's application for rehearing be denied in accordance with Findings (8), (11), (14), (17), and (20); also a Dissenting Opinion of Commissioner Cheryl L. Roberto, Concurring Opinion of Commissioner Paul A. Centolella and Concurring Opinion of Commissioner Andre T. Porter.	32
<u>7/27/2011</u>	Notice of appeal of appellant City of Reynoldsburg, Ohio SC # 11-1274 filed by M. Yurick.	33

CERTIFICATION

I, Renee' J. Jenkins, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-33, the **Opinion and Order dated 4/5/2011** and the **Entry on Rehearing dated 6/1/2011** inclusive; and the Certification of the record in Case No. **08-846-EL-CSS**.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 25th day of August, 2011.

Betty McCauley

Betty McCauley, Secretary
Tanowa Troupe, Acting Secretary
M. Beth Trombold, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO