BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Cutter Exploration, Inc.,	)))
Complainant,	))
v.	) Case No. 09-1982-GA-CSS)
The East Ohio Gas Company d/b/a Dominion East Ohio,	)))
Respondent.	))

ENTRY

The Commission finds:

(1)   On December 21, 2009, Cutter Exploration, Inc. (Cutter Exploration) filed a complaint against The East Ohio Gas Company d/b/a Dominion East Ohio (DEO), alleging that DEO has failed to accurately measure gas at production receipt points to its distribution and transmission systems in Geauga County, Ohio.

(2)   On January 11, 2010, DEO filed its answer to the complaint, denying the material allegations of the complaint. DEO maintained that it has fully complied with all applicable statutes, rules, orders, and tariffs.

(3)   A settlement conference in this matter was initially scheduled for March 25, 2010, and, subsequently, the hearing date of November 2, 2010, was agreed to by the parties. At the request of the parties, the hearing was rescheduled to June 1, 2011. Thereafter, by entry issued April 1, 2011, the parties' request to stay this matter was granted and the parties were directed to file periodic status reports in the docket.

(4)   On August 5, 2011, the parties filed a joint motion to dismiss this case with prejudice. The parties explain that all matters in this action have been resolved and each party shall bear its own costs, expenses, and attorney's fees.

(5)   The Commission finds that the joint motion to dismiss, with prejudice, is reasonable and should be granted.
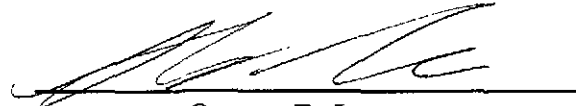
It is, therefore,

ORDERED, That the joint motion to dismiss be granted and that the complaint be dismissed with prejudice. It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Todd A. Snitchler, Chairman

Paul A. Centolella   Steven D. Lesser

Andre T. Porter   Cheryl L. Roberto

JJT/sc

Entered in the Journal

SEP - 7 2011

Betty McCauley
Secretary