

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Manchester Realty, LLC,)	
)	
Complainant,)	
)	
v.)	Case No. 12-1161-HT-CSS
)	
Cleveland Thermal Steam Distribution, LLC,)	
)	
Respondent.)	

JOINT MOTION TO DISMISS AND MEMORANDUM IN SUPPORT

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**Attorney for Cleveland Thermal Steam
Distribution, LLC**

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JOINT MOTION TO DISMISS

Now comes Manchester Realty, LLC ("Manchester Realty") and Cleveland Thermal Steam Distribution, LLC ("Cleveland Thermal") and respectfully requests that the Public Utilities Commission of Ohio ("Commission") dismiss the above-captioned complaint with prejudice for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/ David Proano (per authorization)

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/s/ Frank P. Darr

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MEMORANDUM IN SUPPORT

Complainant and Cleveland Thermal have mutually resolved any issues raised in this proceeding and therefore respectfully request that the Commission dismiss it with prejudice.

Respectfully submitted,

/s/ David Proano (per authorization)

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**Attorney for Cleveland Thermal Steam
Distribution, LLC**

CERTIFICATE OF SERVICE

I hereby certify that a copy of *Joint Motion to Dismiss and Memorandum in Support* was served upon David Proano, Baker & Hostetler, LLP, 3200 PNC Center, 1900 East Ninth Street, Cleveland, Ohio 44114, via electronic transmission, hand-delivery, or ordinary U.S. Mail, postage prepaid on this 20th day of February 2013.

/s/ Frank P. Darr

Frank P. Darr

**Attorney for Cleveland Thermal Steam
Distribution, LLC**

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Case No(s). 12-1161-HT-CSS

Summary: Motion Joint Motion to Dismiss and Memorandum in Support electronically filed by Ms. Vicki L. Leach-Payne on behalf of Darr, Frank P. Mr.