BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW 36 EAST SEVENTH STREET SUITE 1510 CINCINNATI, OHIO 45202 TELEPHONE (513) 421-2255

TELECOPIER (513) 421-2764

Via E-FILE

July 24, 2014

Public Utilities Commission of Ohio PUCO Docketing 180 E. Broad Street, 10th Floor Columbus, Ohio 43215

In re: <u>Case No. 14-841-EL-SSO and 14-842-EL-ATA</u>

Dear Sir/Madam:

Please find attached the OHIO ENERGY GROUP'S NOTICE OF WITHDRAWAL OF MOTION TO ESTABLISH PROTECTIVE AGREEMENT AND REPLY e-filed today in the above-referenced matters.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

Mavid F. Boehm, Esq. Michael L. Kurtz, Esq. Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

MLKkew Encl.

Cc:

Certificate of Service

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In The Matter Of The Application Of Duke Energy Ohio, Inc. For Authority To Establish A Standard Service Offer Pursuant To Section 4928.143, Revised Code, In The Form Of An Electric Security Plan, Accounting Modifications And Tariffs For Generation Service

Case No. 14-841-EL-SSO

In The Matter Of The Application Of Duke Energy Ohio, Inc. For : Authority To Amend Its Certified Supplier Tariff, P.U.C.O. No. 20 :

Case No. 14-842-EL-ATA

NOTICE OF WITHDRAWAL OF

MOTION TO ESTABLISH PROTECTIVE AGREEMENT AND REPLY
OF THE OHIO ENERGY GROUP

On June 13, 2014, the Ohio Energy Group ("OEG") filed a Motion to Establish Protective Agreement ("Motion") in the above-captioned proceedings, explaining why the confidentiality agreement initially proposed by Duke Energy Ohio, Inc. ("Duke") to be used for purposes of this case was unreasonable. On June 20, 2014, OEG filed a Reply to Duke's Memorandum Contra OEG's Motion. Since that time, Duke and OEG have worked together to prepare a more reasonable confidentiality agreement that OEG is amenable to using for purposes of these proceedings. Accordingly, OEG now withdraws its Motion and Reply.

Respectfully submitted,

David F. Boehm, Esq. Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: dboehm@BKLlawfirm.com

mkurtz@BKLlawfirm.com jkylercohn@BKLlawfirm.com

COUNSEL FOR THE OHIO ENERGY GROUP

July 24, 2014

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or ordinary mail, unless otherwise noted, this 23rd day of July, 2014 to the following:

David F. Boehm, Esq. Michael L. Kurtz, Esq. Jody Kyler Cohn, Esq.

Steven Beeler
Thomas Lindgren
Ryan O'Rourke
Assistant Attorneys General
Public Utilities Section
180 East Broad St., 6th Floor
Columbus, Ohio 43215
Steven.beeler@puc.state.oh.us
Thomas.lindgren@puc.state.oh.us
Ryan.orouke@puc.state.oh.us

Frank P. Darr
Matthew R. Pritchard
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, Ohio 43215
sam@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com

Samuel C. Randazzo

Counsel for Staff of the Commission

Counsel for Industrial Energy Users-Ohio

Kevin R. Schmidt 88 East Broad Street, Suite 1770 Columbus, Ohio 43215 schmidt@sppgrp.com

Counsel for the Energy Professionals of Ohio

Mark A. Hayden
Jacob A. McDermott
Scott J. Casto
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
haydenm@firstenergycorp.com
imcdermott@firstenergycorp.com
scasto@firstenergycorp.com

Counsel for FirstEnergy Solutions Corp.

Maureen R. Grady
Joseph P. Serio
Edmund "Tad" Berger
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
Maureen.grady@OEG.ohio.gov
Joseph.serio@OEG.ohio.gov
Edmund.berger@OEG.ohio.gov

Judi L. Sobecki
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, Ohio 45432
Judi.sobecki@aes.com

Counsel for The Dayton Power and Light Company

Counsel for the Ohio Consumers' Counsel

Kimberly W. Bojko
Mallory M. Mohler
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
Bojko@carpenterlipps.com
Mohler@carpenterlipps.com

Counsel for the Ohio Manufacturers' Association

Joseph Oliker Matthew White 6100 Emerald Parkway Dublin, Ohio 43016 joliker@igsenergy.com mswhite@igsenergy.com

Counsel for Interstate Gas Supply, Inc.

Joseph M. Clark 21 East State Street, 19th Floor Columbus, Ohio 43215 joseph.clark@directenergy.com

Counsel for Direct Energy Services, LLC and Direct Energy Business, LLC

Samuel C. Randazzo
Frank P. Darr
Matthew R. Pritchard
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, Ohio 43215
sam@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com

Counsel for Industrial Energy Users-Ohio

Steven Beeler
Thomas Lindgren
Ryan ORourke
Assistant Attorneys General
Public Utilities Section
180 East Broad St., 6th Floor
Columbus, Ohio 43215
Steven.beeler@puc.state.oh.us
Thomas.lindgren@puc.state.oh.us
Ryan.orouke@puc.state.oh.us

Counsel for Staff of the Commission

Colleen L. Mooney Ohio Partners for Affordable Energy 231 West Lima Street Findlay, Ohio 45839-1793 cmooney@ohiopartners.org

Counsel for Ohio Partners for Affordable Energy

Kevin R. Schmidt 88 East Broad Street, Suite 1770 Columbus, Ohio 43215 schmidt@sppgrp.com

Counsel for the Energy Professionals of Ohio

Mark A. Hayden
Jacob A. McDermott
Scott J. Casto
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
haydenm@firstenergycorp.com
jmcdermott@firstenergycorp.com
scasto@firstenergycorp.com

Counsel for FirstEnergy Solutions Corp.

Maureen R. Grady
Joseph P. Serio
Edmund "Tad" Berger
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
Maureen.grady@occ.ohio.gov
Joseph.serio@occ.ohio.gov
Edmund.berger@occ.ohio.gov

Counsel for the Ohio Consumers' Counsel

Judi L. Sobecki
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, Ohio 45432
Judi.sobecki@aes.com

Counsel for The Dayton Power and Light Company

Kimberly W. Bojko
Mallory M. Mohler
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
Bojko@carpenterlipps.com
Mohler@carpenterlipps.com

Counsel for the Ohio Manufacturers' Association

Joseph Oliker Matthew White 6100 Emerald Parkway Dublin, Ohio 43016 joliker@igsenergy.com mswhite@igsenergy.com

Counsel for Interstate Gas Supply, Inc.

Joseph M. Clark 21 East State Street, 19th Floor Columbus, Ohio 43215 joseph.clark@directenergy.com

Counsel for Direct Energy Services, LLC and Direct Energy Business, LLC

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/24/2014 2:30:53 PM

in

Case No(s). 14-0841-EL-SSO, 14-0842-EL-ATA

Summary: Notice Ohio Energy Group's (OEG) Notice of Withdrawal of Motion to Establish Protective Agreement and Reply electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group