

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

KAWS, Inc. dba RB Tool & Mfg. Co.	)	
2680 Civic Ctr. Drive	)	
Cincinnati, OH 45231	)	
	)	
Complainant,	)	Case No. 15-1012-EL-CSS
	)	
v.	)	
	)	
Duke Energy Ohio, Inc.	)	
	)	
Respondent.	)	

---

**JOINT MOTION TO DISMISS COMPLAINT OF KAWS, INC. dba RB TOOL &  
MFG. CO. AND RESPONDENT DUKE ENERGY OHIO, INC**

---

Complainant KAWS, Inc. dba RB Tool & Mfg.Co. and Respondent Duke Energy Ohio, Inc. respectfully request the Commission dismiss the above-captioned complaint without prejudice as the parties have settled this matter and all issues raised in the complaint have been resolved or are being resolved.

Respectfully Submitted,

/s/ Robert W. Burns  
Robert W. Burns (0031197)  
817 Main Street, 8<sup>th</sup> Flr.  
Cincinnati, OH 45202  
Attorney for Complainant  
(513) 421-4225  
(513) 639-2547 Fax  
[rburns@rwb-law.com](mailto:rburns@rwb-law.com)  
Attorney for Complainant  
KAWS, Inc. dba RB Tool & Mfg. Co.

/s/ Robert A. McMahon  
Robert A. McMahon (0064319)  
Eberly McMahon Copetas LLC  
2321 Kemper Lane, Suite 100  
Cincinnati, OH 45206  
513-533-3441  
513-533-3554 Fax  
[bcmcmahon@emclawyers.com](mailto:bcmcmahon@emclawyers.com)  
Attorneys for Respondent  
Duke Energy Ohio, Inc.

## **MEMORANDUM IN SUPPORT**

The parties have resolved or are resolving 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 without prejudice.

Respectfully Submitted,

/s/ Robert W. Burns  
Robert W. Burns (0031197)  
817 Main Street, 8<sup>th</sup> Flr.  
Cincinnati, OH 45202  
Attorney for Complainant  
(513) 421-4225  
(513) 639-2547 Fax  
[rburns@rwb-law.com](mailto:rburns@rwb-law.com)  
Attorney for Complainant  
KAWS, Inc. dba RB Tool & Mfg. Co.

/s/ Robert A. McMahon  
Robert A. McMahon (0064319)  
Eberly McMahon Copetas LLC  
2321 Kemper Lane, Suite 100  
Cincinnati, OH 45206  
513-533-3441  
513-533-3554 Fax  
[bcmahon@emclawyers.com](mailto:bcmahon@emclawyers.com)  
Attorneys for Respondent  
Duke Energy Ohio, Inc.

Elizabeth H. Watts  
Assistant General Counsel  
Duke Energy Business Services, Inc.  
155 East Broad Street, 21<sup>st</sup> Flr.  
Columbus, OH 43215  
(614) 222-1331  
(614) 221-7556 Fax  
[Elizabeth.watts@duke-energy.com](mailto:Elizabeth.watts@duke-energy.com)

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Joint Motion to Dismiss, was served on the following counsel of record via email on this 20<sup>th</sup> day of April, 2016:

Robert W. Burns, Esq.  
817 Main Street, 8<sup>th</sup> Flr.  
Cincinnati, OH 45202  
[rburns@rwb-law.com](mailto:rburns@rwb-law.com)

/s/ Robert A. McMahon

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**4/20/2016 12:01:48 PM**

**in**

**Case No(s). 15-1012-EL-CSS**

Summary: Motion Joint Motion To Dismiss Complaint of Kaws, Inc. dba RB Tool & Mfg. Co. and Respondent Duke Energy Ohio, Inc. electronically filed by Mr. Robert A. McMahon on behalf of Duke Energy Ohio, Inc.