

June 11, 2018

Ms. Anna Sanyal
Attorney Examiner
PUCO
189 East Broad Street
Columbus, OH 43215

PUCO

2018 JUN 20 PM 4:20

Dear Ms. Sanyal:

I received your letter concerning a hearing on July 18, 2018 regarding the complaint against Duke Energy's clear cutting of trees in our neighborhood. (Case No. 17-2267-EL-CSS)

In December 27, 2017, I was contacted by Kim Lapensee, the Symmes Township Administrator who was assisting the homeowners in this effort against Duke. As you can see by the attached copy of my email to her, we indicated that we were accepting Duke's position that we did not have legal standing in this case, because we do not own property on the right of way.

Kim answered, "Okay. Thanks for getting back to me," so we had assumed that the information would be communicated to the law firm handling this action on behalf of the residents and our involvement in this issue would end. (I also communicated this via phone when the law firm, Carpenter Lipps and Leland contacted me, but I do not have a written record of that. I have received no further communication directly from the law firm, so I assumed it was understood that we did not wish further involvement in this matter.)

In summary, we do not wish to be a party in this effort against Duke and do not plan to attend the settlement conference.

Please indicate receipt of this letter and your understanding that we do not plan to pursue this matter.

Thank you.



Nicholas G. Calo
8386 Cypresswood
Cincinnati, OH 45249
513-476-1767

ncalo@caloresearch.com

This is to certify that the images appearing are an accurate and complete reproduction of a cert. file document delivered in the regular course of business.
Technician AS Date Processed 6/20/18

From: Kimberly A. Lapensee <klapensee@symmestownship.org>
To: calres <calres@aol.com>
Subject: RE: waivers
Date: Wed, Dec 27, 2017 3:43 pm

Ok. Thanks for getting back to me.

Kim

From: pat & nick calo (mailto:patnickcalo@aol.com)
Sent: Wednesday, December 27, 2017 2:18 PM
To: Kimberly A. Lapensee
Subject: Re: waivers

Kim-

We don't plan on continuing with this as we do not own property on the right-of-way. Because we do not have legal standing, we believe our complaint will be dismissed. Also if we continue, we will be obligated to invest more money to pay for the attorneys' fees. We are not prepared to do that.

Good luck helping those on the right-of-way.

Pat and Nick Calo