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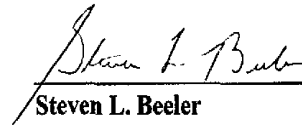
BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO
2005 DEC 14 PM 2:25

In the Matter of the Request of Hobbs) Case No. 05-687
Enterprises, Inc., for an Administrative)
Hearing.)
)

MOTION TO DISMISS SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

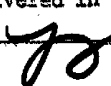
The Staff of the Public Utilities Commission of Ohio respectfully moves for dismissal of this case. The reasons for this motion will be set forth more fully in the attached memorandum in support.

Respectfully submitted,



Steven L. Beeler
Assistant Attorney General
Public Utilities Section
180 E. Broad Street, 9th Floor
Columbus, OH 43215-3793
(614) 644.8599
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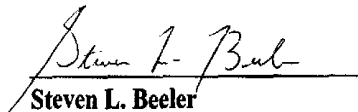
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MEMORANDUM IN SUPPORT

Because a Notice of Preliminary Determination was not sent to Hobbs Enterprises, Inc. (the "Company") in accordance with rule 4901:2-7-12 of the Ohio Administrative Code, the Company's request for an administrative hearing was premature. Accordingly, this matter is not procedurally ripe for hearing. Therefore, the Staff respectfully requests this matter be dismissed.

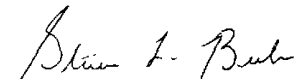
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven L. Beeler", is written over a horizontal line.

Steven L. Beeler
Assistant Attorney General
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CERTIFICATE OF SERVICE

I certify a copy of the foregoing was served upon Mr. Eric Hobbs by regular U.S. mail at
P.O. Box 60 Viola, DE 19979 this 14th day of December, 2005.



Steven L. Beeler
Assistant Attorney General