

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Trigen-)
Cinergy Solutions of Cincinnati, LLC, to)
Change its name to Cinergy Solutions of) Case No. 05-634-CC-ACN
Cincinnati, LLC.)

ENTRY

The Commission finds:

- (1) On May 13, 2005, Cinergy Solutions of Cincinnati, LLC (CSC), formerly Trigen-Cinergy Solutions of Cincinnati, LLC (TCS), filed an application for Commission approval of the change of its name.
- (2) On May 31, 2005, a certified copy of the Restatement of the Articles of Organization of CSC was filed with the Commission.
- (3) Also on May 31, 2005, CSC filed a supplemental application, adding information relating to the identification of the entities with which it does business and the notification of those entities of its name change.
- (4) According to the application, TCS, a company in the business of supplying district cooling and other services to customers in the Cincinnati metropolitan area, was formerly owned by both Cinergy Solutions Holding Company, Inc. (CSHC), a 51 percent member, and Trigen Solutions Inc. (TSI), a 49 percent member.
- (5) The applicant states that, in October 2003, CSHC purchased the membership interest of TSI, thereby becoming the sole member. The Articles of Organization filed with the Ohio Secretary of State were restated, according to the applicant, on October 17, 2003, to officially change the name of TCS to "Cinergy Solutions of Cincinnati, LLC."
- (6) Through oversight, the applicant asserts, it failed to apply for approval of its name change prior to the restatement of the Articles of Organization.
- (7) The applicant states that its name change resulted in no interruption of service and had no effect on operation, accounting, or accountability. It also confirms that it appropriately notified each of its customers of its name change, that the resultant entity has filed its annual reports with the Commission, and that it has otherwise complied with the Commission's rules and orders since the name change.
- (8) The applicant therefore requests that the Commission approve the change in the applicant's name, as described in the application.

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- (9) While approval should have been requested prior to the applicant's name change, the Commission does not believe that there has been any harm as a result of that failure in this particular circumstance. This application involves no apparent effect on the applicant's business operations or its ability to provide service to its customers. The Commission is not aware that any customer has been negatively impacted by the name change or the failure of the applicant to apply for approval on a timely basis. Therefore, the Commission will approve the name change, as requested.
- (10) According to the official records of the Commission, the applicant operates pursuant to contractual arrangements with its customers, and not under filed tariffed rates. Because the contractual customers of the applicant were previously notified of the name change, no Commission-mandated customer notice is necessary.


It is, therefore,

ORDERED, That the application to change the name of Trigen-Cinergy Solutions of Cincinnati, LLC, to Cinergy Solutions of Cincinnati, LLC, be approved. It is, further,

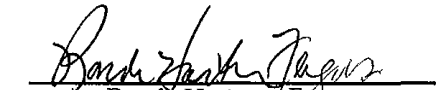
ORDERED, That this case be closed of record. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



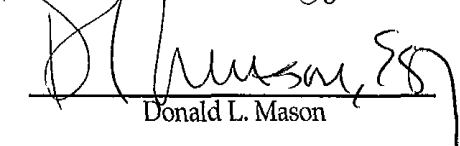
Alan R. Schriber, Chairman



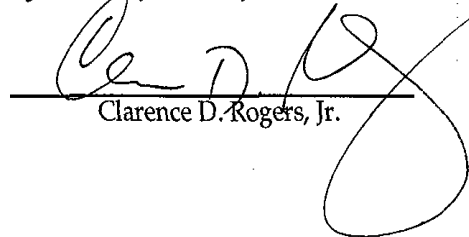
Ronda Hartman Fergus



Judith A. Jones



Donald L. Mason

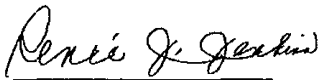


Clarence D. Rogers, Jr.

JWK;geb

Entered in the Journal

JUN 14 2005



Renee J. Jenkins
Secretary