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JACK B. BATES

IRIS G. SKIDMORE

**Via Hand-Delivery**

October 28, 2010

Mr. Jeff Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40601

RECEIVED

OCT 28 2010

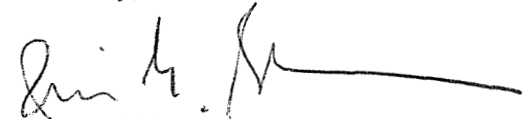
PUBLIC SERVICE  
COMMISSION

**Re: JTB Real Estate d/b/a Tarleton Crossing Apartments v. Kentucky American  
Water Company, Case No. 2009-00483**

Dear Mr. Derouen:

Enclosed for filing in the above styled action are an original and ten copies of a Motion to Dismiss in this matter.

Sincerely,

  
Iris G. Skidmore

Enclosure

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

JTB REAL ESTATE, LLC d/b/a )  
TARLETON CROSSING APARTMENTS )  
COMPLAINANT )  
V. )  
KENTUCKY AMERICAN WATER COMPANY )  
DEFENDANT )

CASE NO. 2009-00483

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PUBLIC SERVICE  
COMMISSION

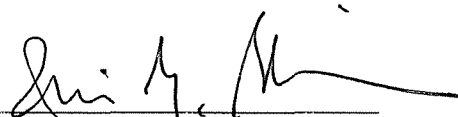
MOTION TO DISMISS

\* \* \* \* \*

Comes Complainant JTB Real Estate, LLC d/b/a Tarleton Crossing Apartments, and moves the Commission to dismiss this action with prejudice, and remove it from the docket. As grounds for this motion, Complainant states that the parties have reached a settlement in this case, and the parties are in agreement that this matter should now be dismissed.

WHEREFORE, Complainant prays that the Commission dismiss this action, and that it be dismissed with prejudice.

Respectfully submitted,



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COUNSEL FOR COMPLAINANT

**CERTIFICATE OF SERVICE**

I hereby certify that on October 28, 2010, a true and accurate copy of the foregoing Motion to Dismiss was served by United States mail, postage prepaid, to the following:

Lindsey W. Ingram, III, Esq.  
Stoll Keenon Ogden PLLC  
300 West Vine Street  
Suite 2100  
Lexington, KY 40507-1801

  
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Counsel for Complainant