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Rocco O. D'Ascenzo  
Senior Counsel

**VIA OVERNIGHT DELIVERY**

March 25, 2009

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

**RECEIVED**

**MAR 26 2009**

**PUBLIC SERVICE  
COMMISSION**

Re: Case No. 2009-00026

Dear Mr. Derouen:

Enclosed please find an original and twelve copies of the Joint Motion to Dismiss Complaint of Duke Energy Kentucky, Inc. to the Complaint filed for the above captioned case.

Please date-stamp the extra two copies and return to me in the enclosed envelope.

Sincerely,

Rocco O. D'Ascenzo  
Senior Counsel

cc: Chris Wiseman

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of: )  
)  
CHRIS WISEMAN ) Case No. 2009-00026  
32 Avenel Pl. )  
Fort Thomas, KY 41075 )  
)  
Complainant )  
)  
v. )  
)  
Duke Energy Kentucky, Inc. )  
P.O. Box 960 )  
139 East Fourth Street )  
Rm 2500 AT II )  
Cincinnati, OH 45201 )

**RECEIVED**

**MAR 26 2009**

**PUBLIC SERVICE  
COMMISSION**

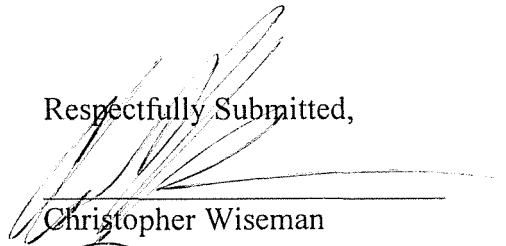
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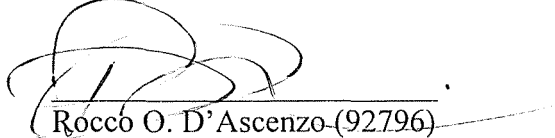
JOINT MOTION TO DISMISS COMPLAINT

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Complainant, Christopher Wiseman and Respondent Duke Energy Kentucky, Inc respectfully request the Commission dismiss the above-captioned complaint with prejudice as the parties have settled this matter and all issues raised in the complaint have been resolved.

Respectfully Submitted,

  
\_\_\_\_\_  
Christopher Wiseman

  
\_\_\_\_\_  
Rocco O. D'Ascenzo (92796)  
Senior Counsel  
Amy B. Spiller (85309)  
Associate General Counsel  
Duke Energy Kentucky, Inc.  
2500 Atrium II

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Cincinnati, OH 45201-0960  
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**CERTIFICATE OF SERVICE**

I hereby give notice that on this 25<sup>TH</sup> day of March, 2009, a copy of the foregoing Joint Motion for Dismissal was served on the following party by regular U.S. Mail, postage prepaid.

CHRIS WISEMAN  
32 Avenel PL.  
Fort Thomas, KY 41075

  
\_\_\_\_\_  
Rocco O. D'Ascenzo