FILED

MAR 04 2010

CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

March 4, 2010

In the Matter of the Application of Middletown Coke Company, a Subsidiary of SunCoke Energy, for a Certificate of Environmental Compatibility and Public Need to Build a Cogeneration Facility

Case No. 2009-0941

NOTICE OF ORAL ARGUMENT

TO: Jack A. Van Kley

Samuel Peterson
M. Howard Petricoff

The Supreme Court of Ohio will hold an oral argument on the merits in this case on Tuesday, April 20, 2010. Time allowed for oral argument will be 15 minutes per side.

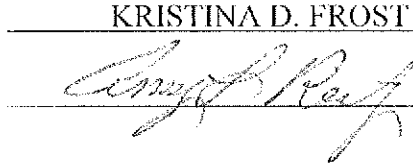
Attorneys who argue before the Court must comply with the provisions of Rule 9 of the Rules of Practice of the Supreme Court of Ohio and the instructions that follow. Pursuant to Rule 9.3, counsel for either or both parties may waive oral argument and submit the case upon briefs. The Clerk must be notified in writing of the waiver at least seven days before the date scheduled for the oral argument.

Court convenes promptly at 9 a.m. Counsel in all cases are expected to be present when court convenes. Counsel must register with the Chief Deputy Clerk **prior to 8:45 a.m.** at the information desk outside the Courtroom on the first floor of the Ohio Judicial Center.

For more information on protocol for presenting oral argument before the Supreme Court of Ohio, counsel may refer to the "Guide for Counsel Presenting Oral Argument" located at www.supremecourt.ohio.gov/clerk.

Note: Assignments in the Supreme Court take precedence over other assignments.

KRISTINA D. FROST CLERK



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