

ORIGINAL

**In The
Supreme Court of Ohio**

**The Office of the Ohio Consumers'
Counsel,**

Appellant,

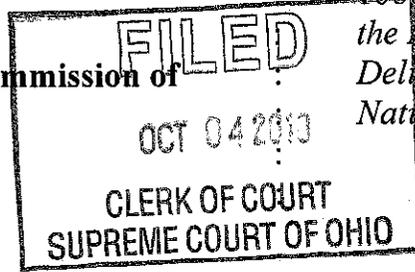
v.

**The Public Utilities Commission of
Ohio,**

Appellee.

Case No. 09-1547

On appeal from the Public Utilities
Commission of Ohio, Case Nos. 07-
1080-GA-AIR, *et al.*, *In The Matter of
the Notice of Intent of Vectren Energy
Delivery of Ohio for an Increase in its
Natural Gas Rates.*



**ADDITIONAL AUTHORITY
SUBMITTED ON BEHALF OF APPELLEE,
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Janine L. Migden-Ostrander (0002310)
Consumers' Counsel

Maureen R. Grady (0020847)
Counsel of Record

Joseph P. Serio (0036959)

Michael E. Idzkowski (0062839)

Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485

614.466.8574 (telephone)

614.466.9475 (fax)

grady@occ.state.oh.us

serio@occ.state.oh.us

idzkowski@occ.state.oh.us

Richard Cordray (0038034)
Ohio Attorney General

William L. Wright (0018010)
Section Chief

Werner L. Margard III (0024858)

Counsel of Record
Assistant Attorneys General
Public Utilities Section

180 East Broad Street, 6th Fl
Columbus, OH 43215-3793

614.466.4397 (telephone)

614.644.8764 (fax)

werner.margard@puc.state.oh.us

**Counsel for Appellant,
Office of the Ohio Consumers' Counsel**

**Counsel for Appellee,
The Public Utilities Commission of Ohio**

Samuel C. Randazzo (0016386)

Counsel of Record

Gretchen J. Hummel (0016207)

Lisa J. McAlister (0075043)

McNees Wallace & Nurick LLC

21 East State Street, 17th Floor

Columbus, OH 43215

614.469.8000 (telephone)

614.469.4653 (fax)

sam@mwncmh.com

ghummel@mwncmh.com

lmcalister@mwncmh.com

**Counsel for Intervening Appellee,
Vectren Energy Delivery of Ohio, Inc.**

**In The
SUPREME COURT OF OHIO**

The Office of the Ohio Consumers’ Counsel,	:	:	:	:	:
					Case No. 09-1547
Appellant,					
v.					On appeal from the Public Utilities Commission of Ohio, Case Nos. 07- 1080-GA-AIR, <i>et al.</i> , <i>In The Matter of the Notice of Intent of Vectren Energy Delivery of Ohio for an Increase in its Natural Gas Rates.</i>
The Public Utilities Commission of Ohio,					
Appellee.					

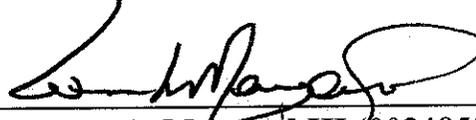
**ADDITIONAL AUTHORITY
SUBMITTED ON BEHALF OF APPELLEE,
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Pursuant to Rule 9.8, of the Rules of Practice of the Supreme Court, the Public Utilities Commission of Ohio submits a January 26, 2010 opinion issued by this Court in case numbers 2008-1837 and 2009-0314, *Consumers’ Counsel v. Pub. Util. Comm’n*, 125 Ohio St. 3d 57, 926 N.E.2d 261 (2010), as additional authority in the above-referenced matter.

Respectfully submitted,

Richard Cordray (0038034)
Ohio Attorney General

William L. Wright (0018010)
Section Chief



Werner L. Margard III (0024858)
Counsel of Record
Assistant Attorney General
Public Utilities Section
180 East Broad Street, 6th Fl
Columbus, OH 43215-3793
614.466.4397 (telephone)
614.644.8764 (fax)
werner.margard@puc.state.oh.us

**Counsel for Appellee,
The Public Utilities Commission of
Ohio**

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Additional Authority** submitted on behalf of appellee, the Public Utilities Commission of Ohio, was served by regular U.S. mail, postage prepaid, or hand-delivered, upon the following parties of record, this 4th day of October, 2010.


Werner L. Margard III
Assistant Attorney General

Parties of Record:

Janine L. Migden-Ostrander
Consumers' Counsel
Maureen R. Grady
Counsel of Record
Joseph P. Serio
Michael E. Idzkowski
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
grady@occ.state.oh.us
serio@occ.state.oh.us
idzkowski@occ.state.oh.us

Samuel C. Randazzo
Counsel of Record
Gretchen J. Hummel
Lisa J. McAlister
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, OH 43215
sam@mwncmh.com
ghummel@mwncmh.com
lmcalister@mwncmh.com