

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE COMPLAINT OF CHRYSLER)
 GROUP LLC AGAINST DUKE ENERGY INDIANA, INC.,) CAUSE NO. 44219
 SEEKING REFUND OF DEPOSIT, ACCRUED INTEREST)
 AND OTHER REGULATORY RELIEF. RESPONDENT:) APPROVED:
 DUKE ENERGY INDIANA, INC.)

OCT 10 2012

ORDER OF THE COMMISSION

Presiding Officers:
James D. Atterholt, Chairman
Gregory R. Ellis, Administrative Law Judge

On July 5, 2012, The Chrysler Group, LLC ("Petitioner") filed its Complaint against Duke Energy Indiana, Inc. ("Respondent") with the Indiana Utility Regulatory Commission ("Commission") in this matter.

On September 26, 2012, the Petitioner filed its *Notice of Withdrawal of Complaint and Stipulation of Dismissal* ("Motion"). The Motion requests that the Complaint be dismissed by the Commission with prejudice. In its Motion, the Petitioner indicates that the Respondent has provided a full refund of the deposit and accrued interest at issue in this case, with the Respondent retaining the right to request and obtain future customer deposits from the Petitioner should they become warranted and the Petitioner retaining its rights to contest any such future requested customer deposits. Therefore, the relief sought in this matter is moot. In support of its Motion, the Petitioner states that it has contacted counsel for the Indiana Office of Utility Consumer Counselor and that there is no objection to the dismissal.

Upon reviewing the Petitioner's *Motion to Dismiss*, the Commission now finds that this Cause should be dismissed with prejudice.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION, that:

1. Cause No. 44219, initiated by the Complaint filed on July 5, 2012 by The Chrysler Group, LLC, is hereby dismissed with prejudice.
2. This Order shall be effective on and after the date of its approval.

LANDIS, MAYS AND ZIEGNER CONCUR; ATTERHOLT AND BENNETT ABSENT:

APPROVED: OCT 10 2012

I hereby certify that the above is a true and correct copy of the Order as approved.

Brenda A. Howe
 Secretary to the Commission