

**BEFORE THE  
OIL & GAS COMMISSION**

OHIO VALLEY ENERGY SYSTEMS,

Appellant,

-vs-

DIVISION OF MINERAL RESOURCES  
MANAGEMENT,

Appellee,

and

JAMES & FRANCES McGEE,  
RUTH COOPER,

Intervenors.

Appeal No. 813

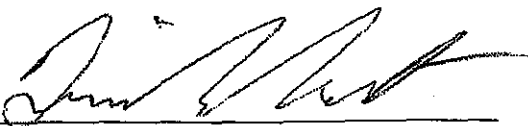
Review of Chief's Order 2009-17  
(English #1 Well)

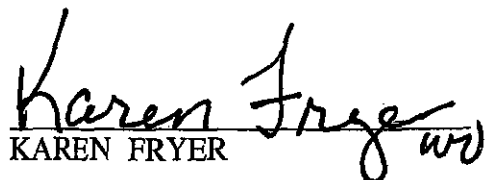
**ORDER OF THE  
COMMISSION DISMISSING  
APPEAL**

Appearances: John K. Keller, Michael J. Settineri, Counsel for Appellant Ohio Valley Energy Systems; Molly Corey, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management; James & Frances McGee, Intervenors, *pro se*; Ruth Cooper, Intervenor, *pro se*.

Upon Notice of Withdrawal filed by Appellant Ohio Valley Energy Systems,  
the Commission hereby **DISMISSES** appeal no. 813, without prejudice.

Date Issued: 5/14/2010

  
TIMOTHY C. McNUTT, Acting Chair

  
KAREN FRYER *wo*

  
JAMES H. CAMERON

RECUSED  
M. HOWARD PETRICOFF

  
ROBERT CHASE *wo*

Ohio Valley Energy  
Appeal #813

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**BEFORE THE STATE OF OHIO OIL AND GAS COMMISSION**

OHIO VALLEY ENERGY SYSTEMS, )

Appellant, )

vs. )

DIVISION OF MINERAL )  
RESOURCES MANAGEMENT, )

Appellee, )

and )

FRANCES & JAMES McGEE, )  
RUTH COOPER, )

Intervenors. )

Appeal No. 813

Review of Chief's Order 2009-17

**RECEIVED**


APR 23 2010

**OIL & GAS COMMISSION**

**NOTICE OF WITHDRAWAL OF APPEAL**

Now comes Appellant, Ohio Valley Energy Systems Corp. ("Appellant"), by and through its undersigned counsel, and hereby gives notice of the withdrawal of its appeal in the above-captioned matter, without prejudice. To the extent necessary, this notice shall constitute an application by the Appellant to withdraw the appeal pursuant to Commission Rule 1509-1-22(E).

Respectfully submitted,



VORYS, SATER, SEYMOUR AND PEASE LLP

John K. Keller (0019957)

*jkeller@vorys.com*

Michael J. Settineri (0073369)

*mjsettineri@vorys.com*

52 East Gay Street, PO Box 1008

Columbus, Ohio 43216-1008

Phone: (614) 464-6400

Fax: (614) 464-6350

Attorneys for Ohio Valley Energy Systems Corp.

**CERTIFICATE OF SERVICE**

I hereby certify that on April 23, 2010, a copy of the foregoing document was served by U.S. Mail postage prepaid upon:

Molly Corey  
Assistant Attorney General  
Building D-2  
2045 Morse Road  
Columbus, Ohio 43229-6693

James and Frances McGee  
7859 Scotland Drive  
Chagrin Falls, Ohio 44023

Ruth Cooper  
17954 English Drive  
Chagrin Falls, Ohio 44023

  
\_\_\_\_\_  
Michael J. Settineri