

# BEFORE THE OIL & GAS COMMISSION

BOARDMAN LOCAL SCHOOL DISTRICT:  
BOARD OF EDUCATION,

Appellant,

-vs-

DIVISION OF MINERAL RESOURCES  
MANAGEMENT,

Appellee,

and

OHIO VALLEY ENERGY SYSTEMS CORP.,

Intervenor.

Appeal No. 781

Review of Chief's Order 2007-40  
(Ohio Valley Energy Systems)

## ORDER OF THE COMMISSION DISMISSING APPEAL


Appearances: Christopher J. Newman, Counsel for Appellant Boardman Local School District Board of Education; Molly Corey, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management; John K. Keller, Michael J. Settineri, Counsel for Intervenor Ohio Valley Energy Systems Corporation.

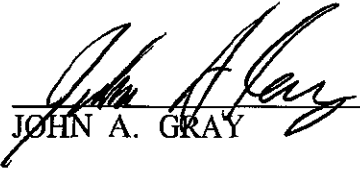
Upon Appellant's Request for Voluntary Dismissal, the Commission hereby

**DISMISSES** appeal no. 781, with prejudice.

Date Issued: Feb. 29, 2008

  
JAMES H. CAMERON

  
TIMOTHY McNUTT

  
JOHN A. GRAY

RECUSED  
M. HOWARD PETRICOFF, Secretary

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February 28, 2008

Via Facsimile: (614) 262-1306  
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FEB 28 2008

**OIL & GAS COMMISSION**

Linda Osterman  
 Assistant to Commission Secretary  
 Oil and Gas Commission  
 Fountain Square Complex  
 2045 Morse Road, Building F-2  
 Columbus, OH 43229-6693

Re: Boardman Local School District Board of Education v. Division of Mineral Resources Management; Appeal Number 781

Dear Linda;

Based on the representation of Attorney John Keller that Ohio Valley Energy Systems has withdrawn its application for a Mandatory Pooling Order involving our client, the Boardman Local School District, please consider this letter to be a request to dismiss the above captioned Appeal.

Yours truly,

HENDERSON, COVINGTON, MESSENGER,  
 NEWMAN & THOMAS CO., L.P.A.



CHRISTOPHER J. NEWMAN

CJN/sf

cc: John K. Keller, Esq.  
 Molly S. Corey, Esq.  
 Jim Massey