

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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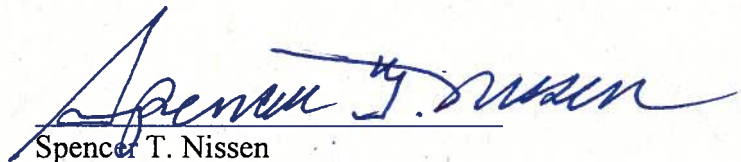
In the Matter of )  
Duke Energy Indiana, Inc., ) Dockets No.  
Respondent ) CERCLA-05-2008-0009  
 ) MM-05-2008-0004  
 ) EPCRA-05-2008-0017  
 )

**ORDER TERMINATING ALTERNATIVE DISPUTE RESOLUTION PROCESS**

The period for Alternative Dispute Resolution in this matter expired on January 21, 2009. While it is understood that the parties are engaged in settlement negotiations, a settlement has not been reached. Accordingly, ADR is hereby terminated and the case is returned to the Chief Administrative Law Judge.

Dated this 2nd day of February 2009.

So Ordered.

  
Spencer T. Nissen  
Administrative Law Judge

Issued: February 2, 2009  
Washington, D.C.

In the ADR matter of *Duke Energy Indiana, Inc.*, Respondent.  
Dockets No. CERCLA-05-2008-0009; MM-05-2008-0004 & EPCRA-05-2008-0017

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Terminating Alternative Dispute Resolution Process**, dated February 2, 2009, was sent this day in the following manner to the addressees listed below.



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Mary Angeles  
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Tywanna Greene  
Acting Regional Hearing Clerk  
U.S. EPA / Region V / E-13J  
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**Dated: February 2, 2009**  
**Washington, D.C.**