

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

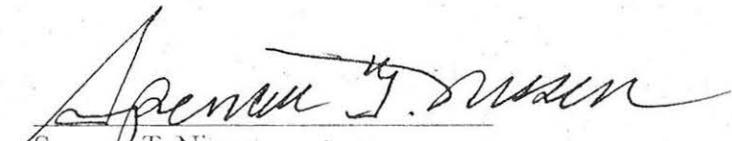
In the Matter of)
) Dockets No.
Duke Energy Indiana, Inc.,) CERCLA-05-2008-0009
) MM-05-2008-0004
Respondent) EPCRA-05-2008-0017
)

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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Legal Staff Assistant

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