



Office of the Ohio Consumers' Counsel

Janine L. Migden-Ostrander
Consumers' Counsel

Your Residential Utility Consumer Advocate
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FILE

PUCO

January 3, 2008

Ms. Renee Jenkins, Director
Public Utilities Commission of Ohio
180 East Broad Street, 13th Floor
Columbus, Ohio 43215-3793

Re: Cross-Examination of Auditor in Consolidated Duke Energy Ohio Cases,
Case Nos. 07-723-EL-UNC, 07-973-EL-UNC, and 07-975-EL-UNC

Dear Ms. Jenkins:

Pursuant to the instructions of the Attorney Examiners in the above-captioned cases, recorded on the transcript of the hearing held on December 13, 2007, the Office of the Ohio Consumers' Counsel ("OCC") provides this docketed notice that the OCC will not require representatives of the auditor (i.e. Liberty Consultants) to appear and testify.

On December 28, 2007, a Joint Motion was submitted by the OCC, Duke Energy, Inc., and the PUCO Staff concerning certain evidentiary matters. The Joint Motion contained an agreement between these parties that the testimony would not be needed as long as administrative notice was given to certain documents. That administrative notice was granted in the Attorney Examiners' Entry dated January 2, 2008. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey L. Small", is written over a horizontal line.

Jeffrey L. Small
OCC Counsel of Record

Cc: Parties of Record (electronically)

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