

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

3
RECEIVED-DOCKETING DIV
2008 JAN -3 PM 4:14
PUCO

In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Gas Rates.)	Case No. 07-589-GA-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of an Alternative Rate Plan for its Gas Distribution Service.)	Case No. 07-590-GA-ALT
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Change Accounting Methods.)	Case No. 07-591-GA-AAM
)	

**NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF
JOHN J. SPANOS
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Ohio Consumers' Counsel ("OCC") will take the oral deposition of all individuals for whom testimony is filed or will be filed in the above-captioned matters or who have knowledge and expertise with the subject matter of these proceedings on behalf of Duke Energy Ohio, Inc. including, but not limited to, John J. Spanos. The deposition will take place at the offices of OCC, 10 West Broad Street, 18th Floor, Columbus, Ohio and will begin at 1:00 p.m. on Wednesday, January 23, 2008, or such other place and time as are mutually agreed upon by Duke Energy Ohio, Inc. and the OCC. Deponent will appear at designated time with documents at OCC and remain present until deposed. Parties are invited to attend and cross-examine.

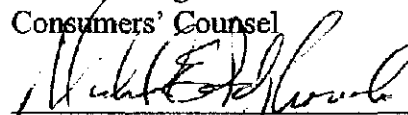
This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician TM Date Processed 1/3/2008

The deposition will be taken of the aforementioned deponent on relevant topics within the scope of these proceedings, including but not limited to, the subject matter of the deponent's testimony or the deponent's knowledge and expertise with the subject matter of this proceeding. The deposition will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions and will continue from day to day, except for holidays and weekends, until completed.

Pursuant to Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20, the deponent is requested to produce at the time of her deposition all documents relating to her testimony or the deponent's knowledge and expertise with the subject matter of these proceedings and/or the deponent's responses to discovery, including, but not limited to, the results of any studies done for these proceedings and any backup documentation, including raw data, for those studies.

Respectfully submitted,

Janine L. Migden-Ostrander
Consumers' Counsel



Larry S. Sauer, Attorney of Record

Joseph P. Serio

Michael E. Idzkowski

Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

614-466-8574 (Telephone)

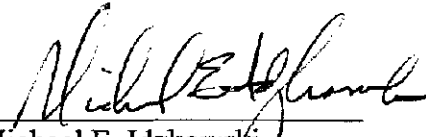
sauer@occ.state.oh.us

serio@occ.state.oh.us

idzkowski@occ.state.oh.us

CERTIFICATE OF SERVICE

I hereby certify that a that a true copy of the foregoing *Notice To Take Deposition Upon Oral Examination of John J. Spanos and Request for Production of Documents by the Office of the Ohio Consumers' Counsel* was served by Regular U.S. Mail Service (also electronically as a courtesy copy, where possible), postage prepaid, to all parties this 3rd day of January, 2008.



Michael E. Idzkowski
Assistant Consumers' Counsel

PARTIES OF RECORD

Paul A. Colbert
John Finnigan
Associate General Counsel
Duke Energy Ohio
139 Fourth Street, Room 25 ATII
Cincinnati, Ohio 45202

Thomas Lindgren
William Wright
Attorney General's Office
Public Utilities Section
180 East Broad Street, 9th Floor
Columbus, Ohio 43215

David F. Boehm
Michael L. Kurtz
Kyrt J. Boehm
Boehm, Kutz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202-4454

David C. Rinebolt
Ohio Partners for Affordable Energy
231 West Lime Street
P.O. Box 1793
Findlay, Ohio 45839-1793

John M. Dosker
General Counsel
Stand Energy Corporation
1077 Celestial Street, Suite 110
Cincinnati, Ohio 45202-1629

Sally W. Bloomfield
Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215-4219

John W. Bentine
Mark S. Yurick
Chester, Willcox & Saxbe LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215-4213