

FILE

7

RECEIVED-DOCKETING DIV
2008 FEB 21 PM 4:33
PUCO

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc. for an Increase in Gas) Case No. 07-589-GA-AIR
Rates.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. for approval of an) Case No. 07-590-GA-ALT
Alternative Rate Plan for its Gas)
Distribution Service)

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Approval to Change) Case No. 07-591-GA-AAM
Accounting Methods)

**MOTION FOR
SUBPOENA**

Now comes the Office of the Ohio Consumers' Counsel ("OCC") and, pursuant to Ohio Adm. Code 4901-1-25, hereby respectfully moves the Public Utilities Commission of Ohio ("Commission" or "PUCO"), any commissioner, the legal director, the deputy legal director, or the attorney examiner assigned to this case to issue a subpoena compelling Michael Ramsey, Operations Compliance Manager, Columbia Gas of Ohio, Inc. ("COH") to appear and provide oral testimony as on cross-examination on Tuesday, February 26, 2008 and attend the hearing from day to day until called to testify by the OCC at the Commission offices (180 E. Broad Street, 11th Floor, Columbus, Ohio 43215) to provide testimony concerning:

1. COH's natural gas riser replacement program;
2. Costs associated with COH's natural gas riser replacement program; and

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 And Date Processed 2/21/08

3. How COH achieved its current natural gas riser replacement program estimated cost.

Grounds for this Motion are set forth in the accompanying Memorandum in Support.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



Larry S. Sauer, Counsel 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

idzkowskli@occ.state.oh.us

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)	
Energy Ohio, Inc. for an Increase in Gas)	Case No. 07-589-GA-AIR
Rates.)	

In the Matter of the Application of Duke)	
Energy Ohio, Inc. for approval of an)	Case No. 07-590-GA-ALT
Alternative Rate Plan for its Gas)	
Distribution Service)	

In the Matter of the Application of Duke)	
Energy Ohio, Inc. for Approval to Change)	Case No. 07-591-GA-AAM
Accounting Methods)	

MEMORANDUM IN SUPPORT

The OCC requests a subpoena, pursuant to Ohio Adm. Code 4901-1-25, to command Michael Ramsey, Operations Compliance Manager to appear and provide testimony as on cross-examination on February 26, 2008 and attend the hearing from day to day until called by OCC to testify at the offices of the Commission (180 E. Broad Street, 11th Floor, Columbus, Ohio 43215) by the OCC in the above-captioned proceedings.

The above-captioned cases involve the a base rate case filing and an alternative regulation rate case filing by Duke Energy Ohio, Inc. for the express purpose of raising base rate costs and also for the continuation of the Accelerated Mains Replacement Program ("AMRP") to recover certain costs, including the cost for the replacement of leaking and prone to leak natural gas risers. One component of cost recovery is the estimated cost to replace each leaking or prone to leak natural gas riser. As such the experience of one Ohio

Local Distribution Company ("LDC") that is dealing with the cost of replacing leaking or prone to leak natural gas risers is pertinent information for the Commission to consider when contemplating the same cost issue with another LDC. The OCC plans to present Michael Ramsey, COH's Operations Compliance Manager to present COH's experience regarding costs for the replacement of leaking or prone to leak natural gas risers.

At hearing it is the Company's burden to demonstrate that its gas purchasing policies and procedures are fair just and reasonable. Pursuant to R.C. 4909.19.1

At any hearing involving rates or charges sought to be increased, the burden of proof to show that the increased rates or charges are just and reasonable shall be on the public utility.

COH's experience with the cost of replacing leaking or prone to leak natural gas risers is a pertinent factor that the Commission should consider when it contemplates the appropriate level of cost recovery for Duke in the above-referenced cases. Therefore, the witness's full participation in the examination will facilitate a full and complete development of these cases before the PUCO, including the ultimate record upon which the Commission will base its decision.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



Larry S. Sauer, Counsel of Record

Joseph P. Serio

Michael E. Idzkowski

Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

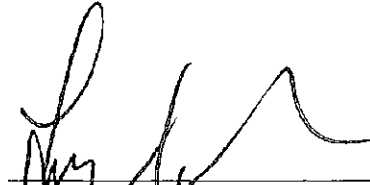
10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

(614) 466-8574 (telephone)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Subpoena, was served electronically
the 21st day of February, 2008.



Larry S. Sauer
Assistant Consumers' Counsel

Paul A. Colbert
John Finnigan
Associate General Counsel
Duke Energy Ohio
139 Fourth Street, Room 25 ATII
Cincinnati, Ohio 45201

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
Kurt J. Boehm
Boehm, Kutz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202-4454

David 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

Mary W. Christensen
Christensen Christensen Donchatz
Kettlewell & Owens, LLC
100 East Campus View Blvd. Suite 360
Columbus Ohio 43235

Steve Howard
Vorys, Sater, Seymour and Pease LLP
52 E. Gay Street
Columbus Ohio 43215

**STATE OF OHIO
PUBLIC UTILITIES COMMISSION
180 EAST BROAD STREET
COLUMBUS, OHIO 43266-0573**

Ted Strickland
GOVERNOR




**THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA**

TO: Michael Ramsey
Operations Compliance Manager
Columbia Gas of Ohio, Inc.
200 Civic Center Drive
Columbus, Ohio 43215

Upon application of Counsel for the Office of the Ohio Consumers' Counsel ("OCC"), Michael Ramsey is hereby required appear on February 26, 2008, at 10:00 a.m., at offices of the Public Utilities Commission of Ohio (180 E. Broad Street, 11th Floor, Columbus, Ohio 43215), and attend the hearing from day to day until called by OCC to testify. The witness shall submit to oral testimony by cross examination by the OCC concerning certain provisions of COH's natural gas riser replacement program including the cost to replace each leaking or prone to leak natural gas riser. COH recently concluded a proceeding (07-478-GA-UNC) to determine the appropriateness of COH taking ownership of natural gas service lines including the riser. The proceeding also involved the cost estimate for the replacement of each leaking or prone to leak natural gas riser. The cost for COH to replace leaking or prone to leak natural gas risers is an appropriate factor for the Commission to consider when determining the reasonable level of costs for Duke in replacing similar leaking or prone to leak natural gas risers. The witness should be knowledgeable in the aforementioned matters.

Dated at Columbus, Ohio, this 21st day of February, 2008.

BY:

A handwritten signature in black ink, appearing to be "W. J. [unclear]", written over a horizontal line.

TITLE:

Attorney Examined