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Dianne B. Kuhnell  
Senior Paralegal

**VIA OVERNIGHT MAIL**  
**AND ELECTRONIC DELIVERY**

November 4, 2008

Ms. Renee Jenkins  
Public Utilities Commission of Ohio  
Docketing Division  
13<sup>th</sup> Floor  
180 East Broad Street  
Columbus, OH 43215-3716

Re: In re Duke Energy Ohio's Application for an Electric Security Plan  
Case No. 08-920-EL-SSO

Dear Ms. Jenkins:

Enclosed please find an original and twenty-two copies of *Duke Energy Ohio's Notice To Take Deposition of Wilson Gonzalez, Witness for Ohio Consumers' Counsel, Upon Oral Examination and Request for Production of Documents* to be filed in the referenced case.

Please file stamp the two extra copies of the Notice and return in the envelope provided.

Sincerely,

Dianne B. Kuhnell

cc: Parties of Record

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**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In The Matter of the Application of Duke Energy Ohio for Approval of an Electric Security Plan	)	Case No. 08-920-EL-SSO
In the Matter of the Application of Duke Energy Ohio for Approval to Amend Accounting Methods	)	Case No. 08-921-EL-AAM
In the Matter of the Application of Duke Energy Ohio for Approval of a Certificate of Public Convenience and Necessity to Establish an Unavoidable Capacity Charge	)	Case No. 08-922-EL-UNC
In the Matter of the Application of Duke Energy Ohio for Approval to Amend its Tariffs	)	Case No. 08-923-EL-ATA

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**DUKE ENERGY OHIO'S  
NOTICE TO TAKE DEPOSITION OF WILSON GONZALEZ,  
WITNESS FOR OHIO CONSUMERS' COUNSEL,  
UPON ORAL EXAMINATION AND  
REQUEST FOR PRODUCTION OF DOCUMENTS**

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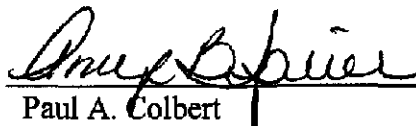
Pursuant to Ohio Admin. Code Rule 4901-1-21(B), please take notice that Duke Energy Ohio will take the oral deposition of Wilson Gonzalez in the above-captioned matters.

By agreement with counsel for OCC, the depositions will take place at the offices of Duke Energy Ohio, 155 East Broad Street, 21<sup>st</sup> Floor, Columbus, Ohio 43215. The deposition will begin at 1:00 p.m. on Friday, November 7, 2008. Parties are invited to attend and to cross-examine.

eposition of Mr. Gonzalez will be taken on relevant topics within his areas of expertise, including but not limited to the subject matter of his testimony. 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 Admin. Code 4901-1-21(E) and 4901-1-20, the deponent is requested to produce at the time of his deposition all documents relating to his testimony in these proceedings or responses to discovery, including, but not limited to, the results of studies done for these proceedings and any backup documentation, including raw data, for those studies. Deponent is also requested to produce at the time of his deposition copies of all documents cited in his testimony.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Amy B. Spiller", is written over a horizontal line.

Paul A. Colbert

Amy B. Spiller

Attorneys for

DUKE ENERGY OHIO

139 Fourth Street, Room 25 ATII

Cincinnati, OH 45202

(513) 419-1810

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Deposition of Duke Energy Ohio was served on the following parties this 4<sup>th</sup> day of November 2008 by regular U. S. Mail, overnight delivery or electronic delivery.

  
Amy B. Spiller

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