

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of:       :  
                              : Case No. 08-218-GA-GCR

In the Matter of the       :  
Regulation of the       :  
Purchased Gas Adjustment :  
Clause Contained within :  
The Rate Schedules of     :  
Duke Energy Ohio, Inc.   :

- - -

PROCEEDINGS

before Christine Pirik, Attorney Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11-F, Columbus, Ohio, called at 10:16  
a.m. on Tuesday, December 9, 2008.

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22           ARMSTRONG & OKEY, INC.  
23           222 East Town Street, Second Floor  
24           Columbus, Ohio 43215-5201  
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ARMSTRONG & OKEY, INC., Columbus, Ohio (614) 224-9481

1 APPEARANCES:

2 Nancy Rogers, Ohio Attorney General  
Duane W. Luckey, Senior Deputy  
3 Attorney General  
Public Utilities Section  
4 By Mr. Werner L. Margard III  
and Mr. Thomas Lindgren  
5 180 East Broad Street, 9th Floor  
Columbus, Ohio 43215-3793

6  
On behalf of the Staff of the Public  
7 Utilities Commission.

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1                   Tuesday Morning Session,

2                   December 9, 2008.

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4           THE ATTORNEY EXAMINER: On the record.

5           My name is Christine Pirik, the attorney

6 examiner assigned to this case.

7           Mr. Margard, I understand you have a

8 statement.

9           MR. MARGARD: I do, your Honor.

10          First, if I may enter an appearance on

11 behalf of Commission staff, Nancy Rogers, Ohio

12 Attorney General, Duane Luckey, section chief, by

13 Assistant Attorneys Generals Werner Margard and

14 Thomas Lindgren, 180 East Broad Street, Ninth Floor,

15 Columbus, Ohio.

16          Your Honor, I also represent that I have

17 spoken with Elizabeth Watts on behalf of the company

18 who has authorized me to enter her appearance this

19 morning, and she has also spoken with Matthew White

20 of Chester, Willcox & Saxbe on behalf of IGS and Ann  
21 Hotz on behalf of the Ohio Consumers' Counsel, and  
22 I'm authorized to represent on behalf of all of the  
23 parties that an agreement in principle has been  
24 reached in this case that will either be agreed to by  
25 all parties or not opposed by any party and that we

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1 are in the process of finalizing that agreement and  
2 hope to be able to submit it as a late-filed exhibit  
3 in the very near future, perhaps in a matter of days.

4 And I would therefore respectfully  
5 request that this proceeding be continued until such  
6 time as we have finalized and filed that stipulation.

7 THE ATTORNEY EXAMINER: Taking into  
8 consideration that the parties are working towards a  
9 stipulation, we will continue the hearing today. It  
10 may be continued at a later time. If so, a  
11 subsequent entry will be issued, depending on what is  
12 ultimately filed.

13 I would also note there are no public  
14 witnesses appearing at today's hearing to take  
15 testimony.

16 Also, Mr. Margard, I want to be sure they  
17 will also be filing the proofs of publication. Is  
18 that correct?

19 MR. MARGARD: Yes, your Honor, that is my

20 understanding. Those are available and would have

21 been presented today if Ms. Watts had been here.

22 They will also be filed at a later time.

23 THE ATTORNEY EXAMINER: I think that is

24 all the housekeeping, in which case we will adjourn.

25 (The hearing adjourned at 10:18 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is  
a true and correct transcript of the proceedings  
taken by me in this matter on Tuesday, December 9,  
2008, and carefully compared with my original  
stenographic notes.

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Rosemary R. Anderson,  
Professional Reporter.

(rfa-8220)

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**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 08-0218-GA-GCR**

Summary: Transcript Duke Energy 12/9/08 electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.