

FILE

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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
Cameron Creek Apartments,	)	
	)	
Complainant,	)	Case No. 08-1091-GA-CSS
	)	
v.	)	
	)	
Columbia Gas of Ohio, Inc.,	)	
	)	
Respondent.	)	

**MOTION TO ISSUE SUBPOENAS TO JEFF PRACHAR AND CHARLES McCREERY**

NOW COMES the Complainant, Cameron Creek Apartments, by and through counsel, and hereby moves the Public Utilities Commission of Ohio Court to issue the attached subpoenas to Jeff Prachar and Charles McCreery c/o Attorney Eric Gallon, counsel for Respondent, Columbia Gas of Ohio, Inc. In so moving, Complainant submit good cause exists to grant this Motion. Facts supporting this Motion are set forth more particularly in the accompanying Memorandum.

Respectfully submitted,

**WILES, BOYLE, BURKHOLDER  
& BRINGARDNER CO., L.P.A.**



Thomas L. Hart (0062715)  
Brian M. Zets (0066544)  
300 Spruce Street  
Floor One  
Columbus, Ohio 43215  
(614) 221-5216  
FAX: (614) 221-4541  
*Attorney for Complainant*

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## MEMORANDUM

On September 17, 2008, Complainant, Cameron Creek Apartments ("Complainant"), filed a complaint against Columbia Gas of Ohio, Inc. On June 22, 2009, Attorney Examiner Christine M.T. Pirik issued an entry which states in pertinent portion,

"the parties must reduce to writing and prefile all testimony from witnesses who they will be calling in order to support their direct case. The only exception to that requirement is that, in the event a party \* \* \* will be calling witnesses as-on-cross examination as part of its direct case, such testimony need not be prefiled. However, the examiner finds that by July 1, 2009, each party should file a list of all witnesses it will be calling in support of its direct case."

Thereafter, Complainant timely filed a list of all witness it will be calling in support of its direct case, which included Jeff Prachar and Charles McCreary. It was not until July 13, 2009 that Attorney Eric Gallon, counsel for Respondent, Columbia Gas of Ohio, Inc. ("Respondent") contacted counsel for the Complainant to request that subpoenas be issued for Mr. Prachar and Mr. McCreary. In an effort to conform to Respondent's last minute request, Complainant has prepared subpoenas for Mr. Prachar and Mr. McCreary, which are attached hereto as Exhibits "A" and "B" ("Subpoenas"). Complainant hereby respectfully requests that the Public Utility of Commission of Ohio issue the Subpoenas to Mr. Prachar and Mr. McCreary by certified mail in care of Attorney Eric Gallon, counsel for Respondent.

**For The Foregoing Reasons,** Complainant, Cameron Creek Apartments, respectfully requests that the Public Utilities Commission of Ohio issue the subpoenas attached hereto as Exhibits "A" and "B" to Jeff Prachar and Charles McCreary c/o Attorney Eric Gallon, counsel for Respondant, Columbis Gas of Ohio, Inc. A proposed Order is attached hereto for consideration by the Commission.

Respectfully submitted,

**WILES, BOYLE, BURKHOLDER  
& BRINGARDNER CO., L.P.A.**



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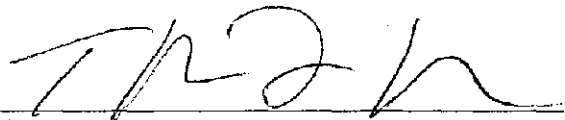
(614) 221-5216

FAX: (614) 221-4541

*Attorney for Complainant*

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Motion to Issue Subpoenas to Jeff Prachar and Charles McCreery* was forwarded via regular United States Mail, postage prepaid, Christine Pirik, 180 East Broad Street Columbus, Ohio 43215 and Eric Gallon, Esq., Porter, Wright, Morris, & Arthur, Huntington Center, 41 South High Street, Columbus, OH 43215-6194, this 14<sup>th</sup> day of July of 2009.



Thomas L. Hart

BEFORE

2009 JUL 14 AM 11:38

THE PUBLIC UTILITIES COMMISSION OF OHIO

SUBPOENA

PUCO

TO:

Jeff Prachar

C/O Eric Gallon, Esq.

Dexter, Wright, Morris & Arthur  
Huntington Center, 41 South High St.  
Columbus, OH 43215-6094

Upon application of Complainant Cameron Creek Apartments, you are hereby required to appear before the Public Utilities Commission of Ohio as a witness for

Cameron Creek Apartments in the following proceeding:

Case No. DB-1091-GA-CSS

Case Title In The Matter of the Complaint Cameron  
Creek Apartments v. Columbia Gas of Ohio, Inc.

You are to appear at the offices of the Commission, 180 East Broad Street, Columbus, Ohio, on the

15 day of July, 2009, at 9:00 a.m. in hearing room 11F.  
16 day of July, 2009

You shall bring with you the following: \_\_\_\_\_

Dated at Columbus, Ohio, this 14 day of July, 2009

[Signature]  
Attorney Examiner

Notice: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

BEFORE

2009 JUL 14 AM 11:38

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

SUBPOENA

TO:

Charles McCreery

40 Eric B. Gallon Esq.

Porter, Wright, Morris & Arthur  
Huntington Center, 41 South High St.  
Columbus, OH 43215-6194

Upon application of Complainant Cameron Creek Apartments you are hereby  
required to appear before the Public Utilities Commission of Ohio as a witness for

Cameron Creek Apartments in the following proceeding:

Case No. 08-1091-GA-CSS

Case Title In The Matter of the Complaint of Cameron  
Creek Apartments v. Columbia Gas of Ohio, Inc.

You are to appear at the offices of the Commission, 180 East Broad Street, Columbus, Ohio,  
on the

15<sup>th</sup> day of July, 2009, at 9:00 a. m. in hearing room 11F.

16<sup>th</sup> day of July, 2009  
You shall bring with you the following: \_\_\_\_\_

Dated at Columbus, Ohio, this 14 day of July, 2009.

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Attorney Examiner

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