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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

2010 FEB -4 PM 4: 25

In the Matter of the Application of )  
Aqua Ohio, Inc. for Authority to Increase )  
Its Rates and Charges in Its Masury ) Case No. 09-560-WW-AIR  
Division. )

PUCO

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NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF  
THEODORE C. RUSSELL  
AND REQUEST FOR PRODUCTION OF DOCUMENTS

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Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Office of 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 Aqua Ohio, Inc. ("Aqua") including, but not limited to Theodore C. Russell. The deposition will take place at the offices of OCC, 10 West Broad Street, 18<sup>th</sup> Floor, Columbus, Ohio, and will begin at 10:00 a.m. on Friday, February 26, 2010, or such other place and time as are mutually agreed upon by Aqua 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.

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

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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 his deposition all documents relating to his 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




Michael E. Idzkowski, Counsel of Record  
Melissa R. Yost  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485  
Telephone: (614) 466-8574  
[idzkowski@occ.state.oh.us](mailto:idzkowski@occ.state.oh.us)  
[yost@occ.state.oh.us](mailto:yost@occ.state.oh.us)

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Notice to Take Deposition of Theodore C. Russell by the Office of the Ohio Consumers' Counsel was served on the persons stated below via regular U.S. Mail Service, postage prepaid, this 4<sup>th</sup> day of February, 2010.

  
Michael E. Idzkowski  
Assistant Consumers' Counsel

### **SERVICE LIST**

John Jones  
Sarah Parrot  
Attorney General's Office  
Public Utilities Commission of Ohio  
180 E. Broad St., 6<sup>th</sup> Fl.  
Columbus, OH 43215

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