

FILE

3

RECEIVED-DOCKETING DIV

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO  
2010 FEB -4 PM 4:18

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

NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF  
AN AQUA OHIO, INC. REPRESENTATIVE  
AND REQUEST FOR PRODUCTION OF DOCUMENTS

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 the representative of Aqua who can discuss issues related to rate of return, return on equity, or any other relevant matter not addressed by the witnesses identified by Aqua to date. 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

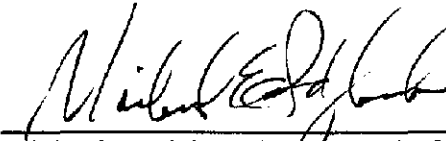
This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
Technician DR Date Processed 2-4-2010

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

A handwritten signature in black ink, appearing to read "Michael E. Idzkowski", written over a horizontal line.

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 an Aqua Ohio, Inc. Representative 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