

FILE



Office of the Ohio Consumers' Counsel

Your Residential Utility Consumer Advocate

Janine L. Migden-Ostrander
Consumers' Counsel

RECEIVED-DOCKETING DIV
2010 JUN 15 PM 4:53
PUCO

June 15, 2010

Ms. Renee Jenkins, Director
PUCO Docketing
Public Utilities Commission of Ohio
180 East Broad Street, 11th Floor
Columbus, Ohio 43215-3793

RE: Auditor Testimony, Case Nos. 09-974-EL-FAC, 09-975-EL-RDR (Duke FPP-SRT Audit Proceeding)

Dear Ms. Jenkins:

I write to provide notice to all parties in the above-captioned cases that the OCC intends to cross-examine representatives of The Schumaker & Company ("Schumaker") in connection with the Final Management/Performance Audit and Financial Audit ("Audit Report"), a public copy of which was docketed on May 14, 2009.

The parties to this case will likely recall that the matter of whether testimony by auditor representatives was required in connection with entering an earlier audit report into the record was a matter raised in Case Nos. 07-723-EL-UNC, et al. (an earlier audit proceeding involving Duke Energy Ohio)¹ In those earlier cases, the Attorney Examiners determined that the OCC had the right to examine auditor representatives.² The OCC ultimately waived that right in the earlier cases, as reflected in a written statement docketed by the OCC on January 3, 2008.³ The OCC does not intend to waive this right in connection with the above-captioned cases.

A procedural schedule has been set for the above-captioned cases, with a hearing set for June 29, 2010. This notice is submitted to provide all parties with the opportunity to prepare for the hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ann M. Hotz".

Ann M. Hotz, Counsel of Record
Assistant Consumers' Counsel

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 RR Date Processed 6-15-2010

cc: Parties of Record

¹ *In re PUCO Review of FPP, AAC, and SRT Components*, Case Nos. 07-723-EL-UNC, et al., Tr. at 9-21 (December 13, 2007).

² *Id.* at 20.

³ *Id.*, OCC Letter (January 3, 2008).