

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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2010 AUG 23 AM 10:30
PUCO

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Establish its Fuel) Case No. 09-974-EL-FAC
and Economy Purchased Power)
Component of its Market-Based Standard)
Service Offer for 2009.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Establish its System) Case No. 09-975-EL-RDR
Reliability Tracker of its Market-Based)
Standard Service Offer for 2009.)

NOTICE TO TAKE DEPOSITIONS UPON ORAL EXAMINATION
AND REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Ohio Consumers' Counsel ("OCC") will take the oral deposition of all individuals whose prefiled testimony was submitted in these cases on behalf of Duke Energy Ohio, Inc. ("Duke" or "Company"). The deponents are: Salil Pradhan, William Don Wathen Jr., and Timothy J. Thiemann. Additionally, the OCC will take the deposition of Joseph A. Miller, Jr., identified by Duke as the "person responsible" for the Company's responses to the OCC's discovery regarding outages at the Zimmer Station. The depositions will take place on August 31, 2010, beginning at 9:00 a.m., and will continue from day to day thereafter until completed at the offices of the OCC located at 10 W. Broad Street, 18th Floor, Columbus, Ohio 43215. Parties to the proceeding are invited to attend the deposition and examine the deponents.

The depositions will be taken of the aforementioned deponents on relevant topics within their expertise, including but not limited to, the subject matter of their testimony.

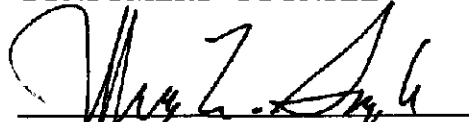
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The deposition will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions and will continue from day to day, except for holidays and weekends, until completed.

Pursuant to Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20, the deponents are requested to produce at the time of their depositions all documents relating to their testimony in this proceeding and responses to discovery, including, but not limited to, the results of any studies done for this proceeding and any backup documentation, including raw data, for those studies.

Respectfully submitted,

JANINE MIGDEN-OSTRANDER
CONSUMERS' COUNSEL

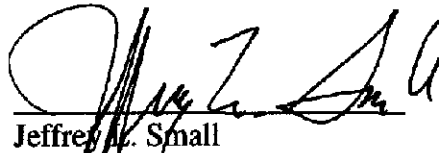
A handwritten signature in black ink, appearing to read "Ann M. Hotz", is written over a horizontal line.

Ann M. Hotz, Counsel of Record
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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice of Depositions was served via regular U.S. Mail, postage prepaid, upon the counsel identified below this 23rd day of August 2010.


Jeffrey L. Small
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