

FACE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

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

PUCO


2010 AUG 27 PM 5:15

RECEIVED-DOCKETING DIV

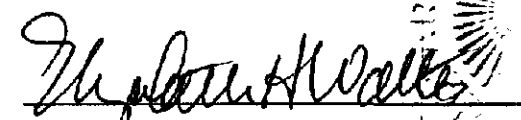
RETURN OF SERVICE

State of Ohio)
County of Franklin) ss.

Carys Cochern, being duly sworn, states that she is over eighteen (18) years of age, and that on August 26, 2010, at approximately 4:48 p.m., she served the within subpoena on Jeffery L. Small or Ann Hotz, Attorneys for the Office of Ohio Consumers' Counsel, accepting said subpoena for Witnesses for the Ohio Consumers' Counsel, by delivering a copy thereof to said person at 10 W. Broad Street, Columbus, Ohio 43215.


Carys Cochern

Subscribed and sworn to before me this 27th day of August, 2010.


My commission does not expire

365248

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 Sam Date Processed 8/30/10

FILE

5
RECEIVED-DETECTIVE DIV
2010 AUG 26 PM 4:48
PUCO

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA DUCES TECUM

TO:
Witnesses of the Office of the Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485

Upon application of Duke Energy Ohio, Inc., you are hereby required to appear before the Public Utilities Commission of Ohio at a deposition, as a witness for yourself, in the following proceeding:

Case Nos. 09-974-EL-FAC and 09-975-EL-RDR
Case Titles: In the Matter of the Application of Duke Energy Ohio, Inc. to Establish its Fuel and Economy Purchased Power Component of its Market-Based Standard Service Offer for 2009.

And

In the Matter of the Application of Duke Energy Ohio, Inc. to Establish its System Reliability Tracker of its Market-Based Standard Service Offer for 2009.

You are to appear at 9:00 a.m. on Thursday, September 2, 2010, at 221 East Fourth Street, Cincinnati, Ohio 45201, on the 25th floor.

You shall bring with you the following:

1. Any and all documents that you intend to rely upon at hearing (all forms of documents, including hard copies of information stored on electronic media).
2. Any and all documents that you relied upon in forming your opinions in this proceeding. (all forms of documents, including hard copies of information stored on electronic media)
3. Identify all witnesses you relied upon in forming your opinions in this proceeding.
4. Identify all witnesses you intend to call to provide direct testimony before the Commission in this proceeding.

Dated, at Columbus, Ohio, this 26th day of August, 2010.



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.


343173

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 Da Date Processed 8-26-2010

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Return of Service was served via regular U.S.

Mail, postage paid, upon the counsel identified below this th27 of August 2010.


Elizabeth H. Watts
Assistant General Counsel

Duane Luckey
Attorney General Office
Public Utilities Commission of Ohio
180 East Broad Street, 9th Floor
Columbus, OH 43215

Ohio Consumers' Counsel
Jeffrey Small
10 W. Broad Street
Columbus, OH 43215-3485

Ohio Partners for Affordable Energy
David Rinebolt
Coleen Mooney
231 West Lima Street
Findlay, OH 45840

Ohio Energy Group, Inc.
David Boehm
36 E. Seventh Street
Suite 1510
Cincinnati, OH 45202