

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates.	)	Case No. 12-1682-EL-AIR
	)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.	)	Case No. 12-1683-EL-ATA
	)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	)	Case No. 12-1684-EL-AAM
	)	
In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Gas Rates.	)	Case No. 12-1685-GA-AIR
	)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.	)	Case No. 12-1686-GA-ATA
	)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of an Alternative Rate Plan for Gas Distribution Service.	)	Case No. 12-1687-GA-ALT
	)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	)	Case No. 12-1688-GA-AAM
	)	

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**NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF  
KEITH G. BUTLER,  
CARL J. COUNCIL, JR.,  
STEPHEN G. DEMAY,  
JULIA S. JANSON,  
PEGGY A. LAUB,  
ROGER A. MORIN,  
PATRICIA W. MULLINS,  
JOHN J. SPANOS,  
WILLIAM DON WATHEN, JR., AND  
JAMES E. ZIOLKOWSKI  
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 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 Duke Energy Ohio, Inc. including, but not limited to the following:

- **Keith G. Butler**, Vice President of Tax, at 1:00 p.m. on Friday February 22, 2013;
- **Carl J. Council, Jr.**, Fleet Finance Leader and Interim Director, Asset Accounting, at 1:00 p.m. on Friday March 1, 2013;
- **Stephen G. DeMay**, Vice President and Treasurer, at 9:00 a.m. on Monday February 25, 2013;
- **Julia S. Janson**, State President, at 9:00 a.m. on Friday February 22, 2013;
- **Peggy A. Laub**, Manager Accounting, at 1:00 p.m. on Tuesday February 26, 2013;
- **Roger A. Morin**, at 9:00 a.m. on Tuesday February 26, 2013;
- **Patricia W. Mullins**, Director Regional Financial Forecasting, at 1:00 p.m. on Friday March 1, 2013;
- **John J Spanos**, at 1:00 p.m. on Monday February 25, 2013;
- **William Don Wathen, Jr.**, Director Rates and Regulations, at 9:00 a.m. on Thursday February 28, 2013; and
- **James E. Ziolkowski**, Rate Manager, at 1:00 p.m. on Wednesday February 27, 2013.

The depositions will take place at OCC's offices, 10 West Broad Street, 18<sup>th</sup> Floor, Columbus, Ohio and will begin at the above designated date and time, or such other place and time as are mutually agreed upon by Duke Energy Ohio, Inc. and the OCC.

Deponents will appear at OCC at the designated time with the documents discussed below and remain present until deposed. Parties are invited to attend and cross-examine.

The depositions will be taken of the aforementioned deponents 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 depositions 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 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,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL

/s/ Larry S. Sauer

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Terry L. Etter, Counsel of Record  
Larry S. Sauer, Counsel of Record  
Kyle L. Kern  
Joseph P. Serio  
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Assistant Consumers' Counsel

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the OCC's Notice to Take Deposition and Request for Production of Documents was served on the persons stated below electronic mail, this 18th day of January 2013.

/s/ Larry S. Sauer

Larry S. Sauer

Assistant Consumers' Counsel

### **PARTIES OF RECORD**

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**Case No(s). 12-1682-EL-AIR, 12-1683-EL-ATA, 12-1684-EL-AAM, 12-1685-GA-AIR, 12-1686-GA-ATA,**

Summary: Notice of Deposition Notice to Take Deposition Upon Oral Examination of Keith G. Butler, Carl J. Council, Jr., Stephen G. DeMay, Julia S. Janson, Peggy A. Laub, Roger A. Morin, Patricia W. Mullins, John J. Spanos, William Don Wathen Jr., and James E. Ziolkowski and Request for Production of Documents electronically filed by Patti Mallarnee on behalf of Sauer, Larry S.