

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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
)	

**THIRD AMENDED NOTICE TO TAKE DEPOSITION
UPON ORAL EXAMINATION OF
JESSICA BEDNARCIK
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 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, Jessica Bednarcik, Senior Engineer. The deposition will take place at the offices of Frost, Brown & Todd, 3300 Great American Tower, Cincinnati, Ohio 45202 and will begin at 10:00 a.m. on Wednesday April 10, 2013, or such other place and time as are mutually agreed upon by Duke Energy Ohio, Inc. and the OCC. Deponent will appear at designated time with all documents Duke

intends to rely upon at hearing in support of its positions with regard to the investigation and remediation of the manufactured gas plant sites, including any documents Ms.

Bednarcik relied upon in forming her opinions in this proceeding 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 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 her deposition all documents relating to her 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

Larry S. Sauer, Counsel of Record

Joseph P. Serio

Edmund Berger

Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

Telephone: Sauer – (614) 466-1312

Telephone: Serio – (614) 466-9565

Telephone: Berger – (614) 466-1292

sauer@occ.state.oh.us

serio@occ.state.oh.us

berger@occ.state.oh.us

CERTIFICATE OF SERVICE

I hereby certify that a copy of the OCC's Third Amended Notice to Take Deposition and Request for Production of Documents was served on the persons stated below electronic mail, this 5th day of April 2013.

/s/ Larry S. Sauer

Larry S. Sauer
Assistant Consumers' Counsel

Samuel C. Randazzo
Frank P. Darr
Joseph E. Olier
Matthew R. Pritchard
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, Ohio 43215

Amy B. Spiller
Rocco O. D'Ascenzo
Jeanne W. Kingery
Elizabeth H. Watts
Duke Energy Business Services, LLC
139 East Fourth Street 1303 Main
P.O. Box 961
Cincinnati, Ohio 45201-0960

Thomas McNamee
Devin Parram
Attorneys General
Public Utilities Commission of Ohio
180 East Broad Street 6th Floor
Columbus, Ohio 43215

A. Brian McIntosh
McIntosh & McIntosh
1136 Saint Gregory Street, Suite 100
Cincinnati, Ohio 45202

Douglas E. Hart
441 Vine Street, Suite 4192
Cincinnati, Ohio 45202

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, Ohio 45840

Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215-4291

Mark S. Yurick
Zachary D. Kravitz
Taft Stettinius & Hollister LLP
65 East State Street Suite 1000
Columbus, Ohio 43215

Kimberly W. Bojko
Mallory M. Mohler
Carpenter Lipps & Leland LLP
280 North High Street
Suite 1300
Columbus, Ohio 43215

Vincent Parisi
Matthew White
Interstate Gas Supply Inc.
6100 Emerald Parkway
Dublin, Ohio 43016

M. Howard Petricoff
Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
PO Box 1008
Columbus, Ohio 43216-1008

Andrew J. Sonderman
Kegler, Brown, Hill & Ritter LPA
Capitol Square, suite 1800
65 East State Street
Columbus, Ohio 43215

Amy.spiller@duke-energy.com
Elizabeth.watts@duke-energy.com
Jeanne.kingery@duke-energy.com
Rocco.dascenzo@duke-energy.com
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com
mpritchard@mwncmh.com
Thomas.mcnamee@puc.state.oh.us
Devin.parram@puc.state.oh.us
brian@mcintoshlaw.com
dhart@douglasehart.com
cmooney2@columbus.rr.com
tobrien@bricker.com
myurick@taftlaw.com
zkravitz@taftlaw.com
bojko@carpenterlipps.com
mohler@carpenterlipps.com
vparisi@igsenergy.com
mswhite@igsenergy.com
mhpetricoff@vorys.com
smhoward@vorys.com
asonderman@keglerbrown.com

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/5/2013 4:24:26 PM

in

Case No(s). 12-1685-GA-AIR, 12-1686-GA-ATA, 12-1687-GA-ALT, 12-1688-GA-AAM

Summary: Notice of Deposition Third Amended Notice to Take Deposition Upon Oral Examination of Jessica Bednarcik and Request for Production of Documents by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Sauer, Larry S.