

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)	
Energy Ohio for Authority to Establish a)	Case No. 14-841-EL-SSO
Standard Service Offer Pursuant to)	
Section 4928.143, Revised Code, in the)	
Form of an Electric Security Plan,)	
Accounting Modifications and Tariffs for)	
Generation Service.)	

In the Matter of the Application of Duke)	
Energy Ohio for Authority to Amend its)	Case No. 14-842-EL-ATA
Certified Supplier Tariff, P.U.C.O.)	
No. 20.)	

**NOTICE TO TAKE DEPOSITIONS
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Office of the Ohio Consumers' Counsel ("OCC") will take the oral deposition of the following individuals:

1. Bryan Dougherty
2. Person(s) with knowledge of and expertise regarding:¹
 - a. Requests for consent of a sale or transfer of a Sponsoring Company's interest in OVEC under the ICPA and any and all communications made or received by Duke Energy Ohio² and any documents showing actions taken by any

¹ Paragraphs 2(a) through 2(c) of this deposition notice supersede paragraphs 3(b) through 3(d) of the deposition notice served on July 28, 2014.

² References to Duke Energy Ohio as used in this Notice of Deposition include any person or entity acting on behalf of Duke Energy Ohio.

Sponsoring Company or OVEC that are within the knowledge of Duke Energy Ohio regarding such requests for consent since January 1, 2012.

- b. Any and all estimates made by Duke Energy Ohio, Inc., or in its possession or control, regarding the economic value of its share of the capacity and energy from OVEC to its retail customers for the duration of Duke Energy Ohio's entitlement, including persons familiar with assumptions, calculations, and workpapers underlying such estimates.
- c. Any and all estimates made by Duke Energy Ohio, Inc., or in its possession or control, of the net cost or benefit to customers and projected rate impacts of the Price Stabilization Rider, including persons familiar with assumptions, calculations, and workpapers underlying such estimates.

OCC seeks to conduct the depositions upon oral examination of persons identified in paragraphs 1 through 2 at OCC's offices, 10 W. Broad St., 18th Floor, Columbus, Ohio, at 10:00 a.m. beginning on September 19, 2014, or such other time that is mutually agreed upon by the Parties. The depositions will continue, one-after-the-other, from day to day, except for holidays and weekends, until completed. Each deponent will appear at the OCC at the designated time and date with all requested documents (identified below) and remain present until deposed.

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 and the deponent's knowledge and expertise with the subject matter of these proceedings. The depositions will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions.

Pursuant to Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20, each deponent is requested to produce, two hours prior to his/her deposition, all documents relating to responses to discovery that were authored by the deponent or were provided to OCC with input from the deponent; and, to the extent the witness is testifying to the matters described in paragraphs 2(a), 2(b), or 2(c), all documents relating to such matters.

More specifically, any deponents identified by the Utility as persons with knowledge and expertise and offered to respond to matters in paragraph 2(a) shall bring with them all documents within Duke's possession, custody, or control related to: (i) A Sponsoring company or companies' request(s) for consent to sell or transfer ownership³ of all or part of its OVEC interest to an affiliate or third party since January 1, 2012; (ii) all OVEC Board Meeting minutes (including resolutions) that pertain to the issue of sale or transfer of ownership shares of OVEC to an affiliate or third party, since January 1, 2012; (iii) all committee or subcommittee meeting minutes pertaining to the sale or transfer of ownership shares of OVEC to an affiliate or third party since January 1, 2012; (iv) all communications between OVEC (including OVEC's Board of Directors) and sponsoring companies pertaining to the sale or transfer of ownership shares of OVEC to an affiliate or third party, since January 1, 2012; (v) all communications between and

³ "Ownership" or "ownership shares" as used here includes all rights, title, interests, and obligations as used in Section 9.18 (and its subsections) of the ICPA.

among sponsoring companies pertaining to the sale or transfer of ownership shares of OVEC to an affiliate or third party, since January 1, 2012; (vi) any vote or poll that occurred among the sponsoring companies pertaining to a sponsoring company's request to sell or transfer its ownership shares of OVEC to an affiliate or third party, since January 1, 2012.

Mr. Dougherty and any deponents identified as persons provided to testify under paragraphs 2(b) or 2(c) of this deposition shall produce 2 hours prior to the deposition and bring with them all documents related to the estimates performed under such paragraphs and all documents showing assumptions, calculations, and workpapers underlying such estimates.

Respectfully submitted,

BRUCE J. WESTON
OHIO CONSUMERS' COUNSEL

/s/ Maureen R. Grady

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice to Take Depositions and Requests for Production of Documents was served via electronic service upon the parties this 17th day of September, 2014.

/s/ Maureen R. Grady

Maureen R. Grady
Assistant Consumers' Counsel

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Case No(s). 14-0841-EL-SSO, 14-0842-EL-ATA

Summary: Notice of Deposition Notice to Take Depositions and Requests for Production of Documents by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Grady, Maureen R. Ms.