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Amy B. Spiller
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Ms. Barcy F. McNeal
Secretary, Public Utilities Commission of Ohio
180 E. Broad Street, 11th Floor
Columbus, Ohio 43215

Re: *In the Matter of the Application of Duke Energy Ohio, Inc., for Approval
of an Electric Security Plan*
Case No. 14-841-EL-SSO, *et al.*

Dear Ms. McNeal:

On September 22, 2014, the Office of the Ohio Consumers' Counsel (OCC) filed a motion for subpoena *duces tecum*, along with a memorandum in support. In its memorandum in support, the OCC initially claimed that the subpoena *duces tecum* should be issued because of a particular request for relief asserted by Duke Energy Ohio, Inc., (Duke Energy Ohio) in these proceedings. The OCC attempted to correct the alleged basis for issuance of a subpoena via correspondence submitted to the Commission's docketing division on September 24, 2014. Therein, the OCC requested that its memorandum in support of motion for subpoena *duces tecum* be revised. Specifically, the OCC requested that the sentence that reads, "Duke claims that this relief is necessitated by Duke's inability to sell or transfer its OVEC interest to an affiliate or third party under the terms of the OVEC Inter-Company Power Agreement ('ICPA') be deleted from its memorandum and substituted with the following sentence, "The claim for this relief is necessitated by Duke's apparent inability to sell or transfer its OVED ownership interest to an affiliate or third party under the terms of the OVEC Inter Company Power Agreement ('ICPA')." The revision does not serve to correct the faulty premise upon which the OCC's memorandum in support is predicated. Indeed, the memorandum continues to suggest that a subpoena *duces tecum* should be issued to a non-party because of the relief Duke Energy Ohio is requesting in its application in these proceedings; relief related to its proposed Rider PSR (Price Stabilization Rider). The Company's application makes no such claim.

Thank you for your attention to this matter.

Very truly yours,

Amy B. Spiller

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in

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

Summary: Letter of Notification Letter to Barcy McNeal re: Ohio Consumers' Counsel's Motion for Subpoena duces tecum, along with Memorandum in Support. electronically filed by Mrs. Adele M. Frisch on behalf of Duke Energy Ohio, Inc. and Watts, Elizabeth H and Spiller, Amy B