

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |   |                         |
|--|---|-------------------------|
| In the Matter of the Application of Duke | ) |                         |
| Energy Ohio, Inc. for Approval of a      | ) | Case No. 14-1160-EL-UNC |
| Grid Modernization Opt-Out Tariff and    | ) | Case No. 14-1161-EL-AAM |
| for a Change in Accounting Procedures    | ) |                         |
| Including a Cost Recovery Mechanism.     | ) |                         |

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

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Pursuant to Ohio Adm. Code Section 4901-1-21(B), please take notice that the Office of the Ohio Consumers' Counsel ("OCC") will take the deposition upon oral examination of Justin C. Brown, who is testifying on behalf of Duke Energy Ohio, Inc. The deposition will be conducted telephonically beginning at 3:00 p.m. on October 7, 2015, and will continue, from day to day, except for holidays and weekends, until completed. Mr. Brown will appear at the designated time and date with all requested documents (identified below) and remain present until deposed.

The deposition will be taken of the aforementioned deponent on relevant topics within the scope of this proceeding, 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 this proceeding. The deposition 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, Mr. Brown is requested to produce, two hours prior to the taking of his/her deposition the following documents:

1. All documents relating to his filed testimony in this proceeding, including but not limited to workpapers; and
2. All responses to discovery requests including, any backup documentation and/or raw data; and
3. The results of any studies or analysis conducted for this proceeding.

Respectfully submitted,

BRUCE J. WESTON (Reg. No. 0016973)  
OHIO CONSUMERS' COUNSEL

/s/ Terry L. Etter

Terry L. Etter (Reg. No. 0067445)  
Counsel of Record  
Assistant Consumers' Counsel

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(willing to accept service by e-mail)

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Notice to Take Deposition and Requests for Production of Documents was served on the persons stated below via electronic transmission this 25<sup>th</sup> day of September 2015.

/s/ Terry L. Etter  
Terry L. Etter  
Assistant Consumers' Counsel

## **SERVICE LIST**

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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 14-1160-EL-UNC, 14-1161-EL-AAM**

Summary: Notice of Deposition Notice to Take Deposition and Request for Production of Documents by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Etter, Terry L Mr.