

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of)	
Jeffrey Pitzer,)	
)	
Complainant,)	
)	
v.)	Case No. 15-298-GE-CSS
)	
Duke Energy Ohio, Inc.,)	
)	
Respondent.)	
)	
)	

**DUKE ENERGY OHIO, INC.'S REPLY
TO MEMORANDUM CONTRA TO COMPLAINANT'S MOTION FOR PROTECTIVE
ORDER REGARDING THE DEPOSITION TESTIMONY OF MARION BYNDON BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Duke Energy Ohio, Inc. (Duke Energy Ohio or Company), pursuant to O.A.C. 4901-1-24(A), hereby submits to the Public Utilities Commission of Ohio (Commission) its reply to the Office of the Ohio Consumers' Counsel's (OCC) memorandum contra Complainant's motion for a protective order (Memorandum).

The OCC opposes the Complainant's request for confidential treatment of the deposition transcript of Marion Byndon solely on procedural grounds. The OCC maintains that the Complainant did not adhere to the appropriate procedures and, further, that Duke Energy Ohio failed to join in the motion for protective treatment.

The OCC's reply is moot given the Attorney Examiner's instructions to Duke Energy Ohio on January 14, 2016. At that time, the Attorney Examiner instructed Duke Energy Ohio to

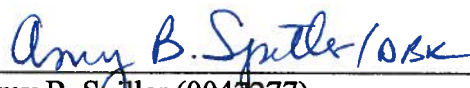
file a motion for protective treatment of Ms. Byndon's deposition transcript. Such a motion, together with proposed redactions, will be filed no later than Friday, January 22, 2016.

Conclusion

Duke Energy Ohio respectfully requests that the Commission hold its decision on Complainant's motion in abeyance until such time as the Company has filed its motion for protective treatment of redacted information in the deposition transcript of Ms. Byndon.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

Handwritten signature of Amy B. Spiller in blue ink, with the initials 'OSK' at the end.

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on the following parties this 20th day of January, 2016 by regular U. S. Mail, overnight delivery or electronic delivery.


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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/20/2016 5:05:04 PM

in

Case No(s). 15-0298-GE-CSS

Summary: Reply Duke Energy Ohio, Inc.'s Reply to Memorandum Contra to Complainant's Motion for Protective Order Regarding the Deposition Testimony of Marion Byndon by the Office of the Ohio Consumers' Counsel electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Spiller, Amy B. and McMahon, Robert