

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

ORWELL NATURAL GAS COMPANY,	:	
	:	
Complainant,	:	CASE NO. 15-0475-GA-CSS
	:	
v.	:	
	:	
ORWELL-TRUMBULL PIPELINE	:	
COMPANY, LLC,	:	
	:	
Respondent.	:	

MOTION FOR SUBPOENA

Pursuant to Ohio Administrative Code (“O.A.C.”) Rule §4901-1-25, Respondent, Orwell-Trumbull Pipeline company, LLC (“OTP”), moves the Public Utilities Commission of Ohio (“Commission”) to issue a subpoena, in the form attached as Exhibit 1, commanding the attendance of Marty Whelan, President, Orwell Natural Gas Company, 95 East Main Street, Orwell, Ohio 44076, for a deposition at the law offices of Kravitz, Brown & Dortch, LLC, 65 East State Street, Suite 200, Columbus, Ohio 43215 that will occur on March 14, 2016 at 2:30pm.

Furthermore, OTP moves that the subpoena command the attendance of Marty Whelan, President, Orwell Natural Gas, 95 East Main Street, Orwell, Ohio 44076, at the hearing in the within matter scheduled for March 22, 2016, at 10:00am, and as may be continued and until he is discharged.

O.A.C. §4901-1-25 provides, in pertinent parts:

(A) The commission, any commissioner, the legal director, the deputy legal director, or an attorney examiner may issue subpoenas, upon their own motion or upon motion of any party. A subpoena shall command the person to whom it is directed to

attend and give testimony at the time and place specified therein. A subpoena may also command such person to produce the books, papers, documents, or other tangible things described therein. A party may request a subpoena by either of the following methods:

(1) A party may file a motion for a subpoena with the docketing division. A completed subpoena form, ready for signature, shall accompany the motion. The attorney examiner assigned to the case, or the legal director or deputy legal director or their designee, will review the filing and, if appropriate, sign the subpoena. The attorney examiner, legal director, deputy legal director, or designee will return via United States mail the signed subpoena, with a cover letter, to the party that filed the motion. A copy of the cover letter will be docketed in the case file.

(D) A subpoena may require a person, other than a member of the commission staff, to attend and give testimony at a deposition, and to produce designated books, papers, documents, or other tangible things within the scope of discovery set forth in rule 4901-1-16 of the Administrative Code. Such a subpoena is subject to the provisions of rule 4901-1-24 of the Administrative Code as well as paragraph (C) of this rule.

Therefore, Respondent respectfully requests that Attorney Examiner grant Respondent's request and forthwith issue the subpoena so that it may be timely served.

Respectfully submitted,

/s/ Michael D. Dortch
Michael D. Dortch (0043897)
Justin M. Dortch (00900048)
KRAVITZ, BROWN, & DORTCH, LLC
65 East State Street, Suite 200
Columbus, Ohio 43215
Phone (614) 464-2000
Fax: (614) 464-2002
E-mail: mdortch@kravitzllc.com
jdortch@kravitzllc.com

Attorneys for Respondent
ORWELL TRUMBULL
PIPELINE COMPANY, LLC

CERTIFICATE OF SERVICE

The PUCO's e-filing system will serve notice of this filing upon counsel for the Complainant, the Ohio Consumers' Council, and the Staff of the Public Utilities Commission of Ohio.

Further, I hereby certify that a true and accurate copy of the foregoing was served upon counsel for the Complainant, the Ohio Consumers' Council, and the Staff of the Public Utilities Commission this March 8, 2016, by electronic mail:

Gina M. Piacentino, Esq.
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Public Utilities Section
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Werner.margard@puc.state.oh.us

/s/ Michael D. Dortch

EXHIBIT 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

ORWELL NATURAL GAS COMPANY,	:	
	:	CASE NO. 15-0475-GA-CSS
Complainant,	:	
	:	
v.	:	
	:	
ORWELL-TRUMBULL PIPELINE	:	
COMPANY, LLC,	:	
	:	
Respondent.	:	

SUBPOENA FOR MARTY WHELAN

TO:

Marty Whelan
President
Orwell Natural Gas Company
95 East Main Street
Orwell, Ohio 44076

Upon application of Orwell-Trumbull Pipeline Company, LLC (“OTP”), you are hereby required to appear before the Public Utilities Commission of Ohio (“Commission”) as a witness in the following proceeding:

Case No.: 15-0475-GA-CSS

Case Title: Orwell Natural Gas Company v. Orwell Trumbull-Pipeline Company, LLC

As a witness, you are required to appear at the following:

- a) A deposition at the law offices of Kravitz, Brown & Dortch, LLC, 65 East State Street, Suite 200, Columbus, Ohio 43215. This deposition will occur on March 14, 2016 at 2:30pm.
- b) The hearing at the Commission, 180 East Broad Street, Columbus, Ohio 43215. This hearing will occur on on March 22, 2016 at 10:00am in hearing room 11-D.

At each you required appearances, you shall bring the following: any and all forms, documents, reports, correspondence, and any other items with respect to Orwell Natural Gas Company and its dispute with OTPC in Case No. 15-0475-GA-CSS.

For additional information regarding this subpoena, contact Counsel for OTP:

Michael D. Dortch
Kravitz, Brown & Dortch, LLC
65 East State Street
Suite 200
Columbus, Ohio 43215
Phone: (614) 464-2000
Fax: (614) 464-2002
Email: mdortch@kravitzllc.com

Dated at Columbus, Ohio this _____ day of March, 2016.

Attorney Examiner: Scott Farkas

NOTICE: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/8/2016 4:59:29 PM

in

Case No(s). 15-0475-GA-CSS

Summary: Subpoena Orrwell-Trumbull Pipeline Company, LLC's Motion for Subpoena and the Subpoena for Marty Whelan, President of Orwell Natural Gas Company. electronically filed by Mr. Justin M Dortch on behalf of Orwell-Trumbull Pipeline Company, LLC