BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Establish a 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.)))))))))))))))))))))))))))))))))))))))	Case No. 17-1263-EL-SSO
In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Amend its Certified Supplier Tariff, P.U.C.O. No. 20.)))	Case No. 17-1264-EL-ATA
In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Defer Vegetation Management Costs.)))	Case No. 17-1265-EL-AAM

AMENDED NOTICE OF DUKE ENERGY OHIO TO TAKE DEPOSITION *DUCES TECUM* OF INDUSTRIAL ENERGY USERS-OHIO

Pursuant to Ohio Admin. Code Rule 4901-1-21(B), please take notice that Duke Energy Ohio, Inc., (Duke Energy) will take the oral deposition of all witnesses that Industrial Energy Users-Ohio (IEU) intends to rely upon at hearing and any persons on whom the IEU relied upon in forming its opinion in the above captioned matter, on December 5, 2017, beginning at 11:00 AM and continuing day-to-day thereafter until complete.

The depositions will take place at Duke Energy Ohio's offices located at 139 East Fourth Street, Cincinnati, Ohio 45202. The depositions will be taken upon oral examination (as if on cross-examination) before an officer authorized by law to take depositions.

Pursuant to Ohio Admin. Code 4901-1-21(E) and 4901-1-20, all witnesses are requested to produce at the time of their deposition true and accurate copies of the documents identified in Exhibit A.

Parties are invited to attend and to cross-examine.

Respectfully submitted,

Elizabeth H. Watts/AMF

Amy B. Spiller (0047277) Deputy General Counsel Rocco O. D'Ascenzo (0077651) Associate General Counsel Jeanne W. Kingery (0012172) Associate General Counsel Elizabeth H. Watts (0031092) Associate General Counsel

DUKE ENERGY OHIO, INC. 139 East Fourth Street ML 1303 Main Cincinnati, Ohio 45202

EXHIBIT A

Duke Energy Ohio hereby requests that, at the time and place set forth above in the notice of deposition, *duces tecum*, each deponent produce true and accurate copies of the following documents:

- 1. Any and all documents that were reviewed by said deponent for purposes of preparing direct testimony relative to the above-captioned proceeding.
- 2. Any and all documents created or authored by said deponent for purposes of preparing direct testimony relative to the above-captioned proceeding.
- 3. Any and all documents referenced in the witness's direct testimony relative to the above-captioned proceeding.
- 4. Any and all documents reviewed by said deponent in preparing, or otherwise assisting in the preparation of, discovery responses submitted by IEU relative to the above-captioned proceeding
- 5. Any and all documents prepared by said deponent for purposes of preparing, or otherwise assisting in the preparation of, discovery responses submitted by IEU relative to the above-captioned proceeding.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 215 day of November, 2017.

Lizabeth H. Watts / AMF

William Wright Attorney General's Office **Public Utilities Section** 30 East Broad St., 16th Floor Columbus, Ohio 43215 William.wright@ohioattorneygeneral.gov

Counsel for Staff of the Commission

Frank P. Darr Matthew R. Pritchard McNees Wallace & Nurick LLC 21 East State Street, 17th Floor Columbus, Ohio 43215 fdarr@mwncmh.com mpritchard@mwncmh.com

Counsel for Industrial Energy Users-Ohio

Kimberly W. Bojko (Counsel of Record) James D. Perko, Jr. Carpenter Lipps & Leland LLP 280 Plaza, Suite 1300 280 North High Street Columbus, Ohio 43215 Bojko@carpenterlipps.com Perko@carpenterlipps.com

Counsel for the OMAEG

Michael L. Kurtz Jody Kyler Cohn Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 mkurtz@BKLlawfirm.com jkylercohn@BKLlawfirm.com

Counsel for Ohio Energy Group

William J. Michael (Counsel of Record) Kevin Moore Assistant Consumers' Counsel Office of the Ohio Consumers' Counsel 10 West Broad Street, Suite 1800 Columbus, Ohio 43215-3485 William.michael@occ.ohio.gov Kevin.moore@occ.ohio.gov

Counsel for the Ohio Consumers' Counsel

Colleen Mooney Ohio Partners for Affordable Energy 1431 Mulford Road Columbus, Ohio 43212 cmooney@ohiopartners.org

Counsel for Ohio Partners for Affordable Energy

Madeline Fleisher Environmental Law & Policy Center 21 W. Broad St., 8th Floor Columbus, Ohio 43215 <u>mfleisher@elpc.org</u>

Counsel for the Environmental Law & Policy Center

Carrie M. Harris Spilman Thomas & Battle, PLLC 110 Oakwood Drive, Suite 500 Winston-Salem, North Carolina 27103 <u>charris@spilmanlaw.com</u>

Derrick Price Williamson Spilman Thomas & Battle, PLLC 1100 Bent Creek Blvd., Suite 101 Mechanicsburg, PA 17050 dwilliamson@spilmanlaw.com

Lara R. Brandfass Spilman Thomas & Battle, PLLC 300 Kanawha Boulevard, East P.O. Box 273 Charleston, WV 25321-0273 Ibrandfass@spilmanlaw.com

Counsel for Wal-Mart Stores East, LP and Sam's East, Inc.

Elyse Akhbari Counsel of Record BRICKER & ECKLER LLP 100 South Third Street Columbus, Ohio 43215 eakhbari@bricker.com

Counsel for People Working Cooperatively, Inc. Angela Paul Whitfield Carpenter Lipps & Leland LLP 280 North High Street, Suite 1300 Columbus, Ohio 43215 paul@carpenterlipps.com

Counsel for The Kroger Co.

Richard L. Sites Ohio Hospital Association 155 East Broad Street, 3rd Floor Columbus, OH 43215-3620 rick.sites@ohiohospitals.org

Dylan F. Borchers Devin D. Parram BRICKER & ECKLER LLP 100 South Third Street Columbus, OH 43215-4291 <u>dborchers@bricker.com</u> dparram@bricker.com

Counsel for the Ohio Hospital Association

Trent Dougherty Counsel of Record Miranda Leppla 1145 Chesapeake Avenue, Suite I Columbus, Ohio 43212-3449 tdougherty@theOEC.org mleppla@theOEC.org

Counsel for the Ohio Environmental Council and Environmental Defense Fund Joseph Oliker Counsel of Record Michael Nugent IGS Energy 6100 Emerald Parkway Dublin, Ohio 43016 joliker@igsenergy.com mnugent@igsenergy.com

Counsel for IGS Energy

Steven D. Lesser James F. Lang N. Trevor Alexander Mark T. Keaney CALFEE, HALTER & GRISWOLD LLP 41 S. High St. 1200 Huntington Center Columbus, Ohio 43215 Telephone: (614) 621-1500 <u>slesser@calfee.com</u> jlang@calfee.com talexander@calfee.com mkeaney@calfee.com

Counsel for the City of Cincinnati

Mark A. Whitt Andrew J. Campbell Rebekah J. Glover WHITT STURTEVANT LLP The KeyBank Building, Suite 1590 88 East Broad Street Columbus, Ohio 43215 whit@whitt-sturtevant.com campbell@whitt-sturtevant.com glover@whitt-sturtevant.com

Counsel for Direct Energy Services, LLC Direct Energy Business, LLC, and Direct Energy Business Marketing, LLC

Mark A. Whitt Andrew J. Campbell Rebekah J. Glover WHITT STURTEVANT LLP The KeyBank Building, Suite 1590 88 East Broad Street Columbus, Ohio 43215 whit@whitt-sturtevant.com campbell@whitt-sturtevant.com glover@whitt-sturtevant.com

Counsel for Retail Energy Supply Assocation (RESA)

Michael D. Dortch (Counsel of Record) Richard R. Parsons Justin M. Dortch Kravitz, Brown & Dortch, LLC 65 East State Street, Suite 200 Columbus, Ohio 43215 mdortch@kravitzll.com

Counsel for Calpine Energy Solutions, LLC

Michael J. Settineri Special Assistant Attorney General VORYS, SATER, SEYMOUR AND PEASE LLP 52 E. Gay Street P.O. Box 1008 Columbus, Ohio 43216-1008 mjsettineri@vorys.com

Counsel for the University of Cincinnait

Michael J. Settineri Special Assistant Attorney General VORYS, SATER, SEYMOUR AND PEASE LLP 52 E. Gay Street P.O. Box 1008 Columbus, Ohio 43216-1008 mjsettineri@vorys.com

Counsel for Miami University

Michael J. Settineri, Counsel of Record Gretchen L. Petrucci VORYS, SATER, SEYMOUR AND PEASE LLP 52 E. Gay Street P.O. Box 1008 Columbus, Ohio 43216-1008 mjsettineri@vorys.com glpetrucci@vorys.com

Counsel for Constellation NewEnergy, Inc. and Exelon Generation Company, LLC

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/21/2017 3:50:44 PM

in

Case No(s). 17-1263-EL-SSO, 17-1264-EL-ATA, 17-1265-EL-AAM

Summary: Notice of Deposition Amended Notice of Duke Energy Ohio to Take Deposition Duces Tecum of Industrial Energy Users-Ohio electronically filed by Mrs. Adele M. Frisch on behalf of Duke Energy Ohio, Inc. and Spiller, Amy B and Watts, Elizabeth H and Kingery, Jeanne W and D'Ascenzo, Rocco O