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BEFORE
THE OHIO POWER SITING BOARD

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In the Matter of the Application of Duke)
Energy Ohio, Inc. for a Certificate of)
Environmental Compatibility and Public) Case No. 16-253-GA-BTX
Need for the C314V Central Corridor)
Pipeline Extension Project.)
)

MOTION FOR SUBPOENA *DUCES TECUM*

Pursuant to Rule 4906-2-23 of the Ohio Administrative Code, the City of Cincinnati and the Board of County Commissioners of Hamilton County move the Ohio Power Siting Board ("Board") to issue a subpoena *duces tecum*, in the form attached as Exhibit 1, commanding the attendance of a witness for TRC Pipeline Services, LLC in the above-captioned case, or in lieu of an in-person appearance, to produce the documents papers, or other tangible things requested in the attached subpoena to Calfee, Halter & Griswold LLP, c/o Mark Keaney, 1200 Huntington Center, 41 South High Street, Columbus, OH 43215, on February 28, 2018, at 9:00 am.

Pursuant to Rule 4906-2-27 of the Ohio Administrative Code, a brief statement of the grounds for this Motion are set forth in the accompanying Memorandum in Support.

Respectfully Submitted,

/s/ James F. Lang

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MEMORANDUM IN SUPPORT

Pursuant to Rule 4906-2-23 of the Ohio Administrative Code, the City of Cincinnati and the Board of County Commissioners of Hamilton County (collectively, “Movants”) move the Ohio Power Siting Board (“Board”) to issue a subpoena *duces tecum*, in the form attached as Exhibit 1, commanding the attendance of a witness for TRC Pipeline Services, LLC in the above-captioned case, or in lieu of an in-person appearance, to produce the documents, papers, or other tangible things identified in the attached subpoena to Calfee, Halter & Griswold LLP, c/o Mark Keaney, 1200 Huntington Center, 41 South High Street, Columbus, OH 43215, on February 28, 2018, at 9:00 am (EST).

On January 20, 2017, as amended and supplemented on February 13, 2017, February 24, 2017, March 3, 2017, and May 11, 2017, Duke Energy Ohio, Inc. (“Duke”) filed with the Board in this proceeding an application for a certificate of environmental compatibility and public need for a certificate (“Application”) to construct an approximately 14-mile, 20-inch natural gas pipeline extension from Duke’s WW Feed Station to an existing gas pipeline in the village of Fairfax or the city of Norwood area (“Proposed Pipeline”). In the Application, Duke described and evaluated several possible routes for the Proposed Pipeline, and provides various maps and figures detailing the possible routes and areas of construction for the Proposed Pipeline.

To prepare and finalize the Application, Duke retained TRC Pipeline Services (“TRC”) to provide a routing analysis based on pipeline routing criteria for engineering, environmental, land, and construction disciplines. To better understand the route evaluation study performed by TRC, which Duke relied on when preparing its Application, Movants seek to review any documents, maps, analyses, workpapers, reports, or other information that Duke provided to TRC for the purposes of creating the route evaluation analysis. In addition, Movants seek to

review any studies, data, notes, workpapers, maps, reports, analyses, or other information that TRC created when preparing and finalizing its report, as well as any other information TRC created as a supplement to the report prepared for Duke. This information is particularly relevant and important given that many of the maps and figures of the different routes in the Application are either partially obscured, incomplete, or illegible.

In sum, the information requested in the attached subpoena is relevant and central to Movants' understanding of the different route proposals offered in the Application, as well as the recommendations and findings stated in Staff's Report of Investigation. Without this information, Movants are left with many unresolved questions and an insufficient understanding of the various environmental, logistical, and operational issues involved in the Proposed Pipeline. Consequently, the Motion for Subpoena *Duces Tecum* should be granted to facilitate a full and complete development of the material issues in the case before the Board, including the ultimate record upon which the Board will base its decision.

/s/ James F. Lang

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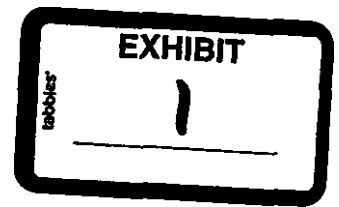
*Attorneys for the Board of County
Commissioners of Hamilton County*

CERTIFICATE OF SERVICE

I certify that a copy of the Motion for Subpoena *Duces Tecum* and Memorandum in Support was filed through the Docketing Information System of the Ohio Power Siting Board on this 29th day of January, 2018. The Board's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Mark T. Keaney

*One of the Attorneys for the City of Cincinnati and the
Board of County Commissioners of Hamilton County*



**BEFORE
THE OHIO POWER SITING BOARD**

SUBPOENA DUCES TECUM

To:

TRC Pipeline Services, LLC
Registered Agent:
CT Corporation System
4400 Easton Commons Way, Suite 125
Columbus, OH 43219

Pursuant to Rule 4906-2-23 of the Ohio Administrative Code, upon application of the City of Cincinnati and the Board of County Commissioners of Hamilton County, you are hereby required to appear before the Ohio Power Siting Board as a witness for TRC Pipeline Services, LLC (except as described below) in the following proceeding:

Case No. 16-0253-GA-BTX

Case Title: In the Matter of the Application of Duke Energy Ohio, Inc. for a Certificate of Environmental Compatibility and Public Need for the C314V Central Corridor Pipeline Extension Project

You are to appear at the offices of Calfee, Halter, & Griswold LLP, 1200 Huntington Center, 41 South High Street, Columbus, Ohio 43215, on February 28, 2018, at 9 am. The documents requested in this subpoena may be sent to attorney Mark Keaney's attention at this address in lieu of your appearance.

You shall bring the following:

All documents, papers, or other tangible things set forth in the attached Exhibit A.

Dated at Columbus, Ohio this ____ day of _____, 2018.

Administrative Law Judge

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 for the witness must contain this notice.

EXHIBIT A

Please produce the following documents, papers, or other tangible things described herein:

1. All documents, papers, studies, data, notes, workpapers, maps, reports, analyses, or other information that Duke Energy Ohio, Inc. or any of its corporate affiliates (“Duke”) provided to TRC Pipeline Services, LLC (“TRC”) to prepare the Route Evaluation Report: Duke C314V (“Report”).
2. All documents, papers, studies, data, notes, workpapers, maps, reports, analyses, or other information that TRC created when preparing and finalizing the Report.
3. All documents, papers, studies, data, notes, workpapers, maps, reports, analyses, or other information that TRC created as a supplement to the Report.