

o: 614-222-1330 f: 614-222-1337



February 12, 2018

Ms. Barcy McNeal PUCO Docketing Division 180 East Broad Street, 11<sup>th</sup> Floor Columbus, OH 43215-3716

Re: Case No. 17-2344-EL-CSS / In the Matter of the Complaint of Citizens Against Clear Cutting, *et al.* v. Duke Energy Ohio, Inc. Second Amended Notices of Deposition

Dear Ms. McNeal:

Please find attached the Second Amended Notices of Deposition for the following Complainants in the above referenced case:

Jonathan Mackey;

Mike Preissler;

Melisa Kuhne;

Olga Staios;

Paul Smith;

Barbara Casper; and

Kim Wiethorn.

The Second Amended Notices of Deposition have been corrected solely to change the order of the deponents. Should you have any questions, please do not hesitate to contact us.

Sincerely,

Emily A. Olive, CP

Emily A. Olive Paralegal

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter | of the Complaint of Citizens | ) |                         |
|---------------|------------------------------|---|-------------------------|
| Against Clear | Cutting, Et Al.,             | ) |                         |
|               |                              | ) |                         |
|               | Complainants,                | ) |                         |
| v.            |                              | ) | Case No. 17-2344-EL-CSS |
|               |                              | ) |                         |
| Duke Energy   | Ohio, Inc.,                  | ) |                         |
|               |                              | ) |                         |
|               | Respondent.                  | ) |                         |
|               |                              |   |                         |

# SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF JONATHAN MACKEY

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 Jonathan Mackey (Mr. Mackey) and all witnesses whom Mr. Mackey intends to rely upon at hearing and any persons on whom Mr. Mackey relied upon in forming his opinion in the above captioned matter, on February 19, 2018 at 10:00 a.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

/s/ Elizabeth H. Watts
Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Elizabeth H. Watts (0031092)
Associate General Counsel
DUKE ENERGY OHIO, INC.
139 East Fourth Street
1303-Main
P.O. Box 960
Cincinnati, Ohio 45202
Telephone: (513) 287-4320
Rocco.D'Ascenzo@duke-energy.com
Elizabeth.Watts@duke-energy.com
Jeanne.Kingery@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Mr. Mackey 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 Mr. Mackey relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Kimberly W. Bojko                | Terry L. Etter                                    |
|----------------------------------|---|
| Stephen E. Dutton                | Assistant Consumers' Counsel                      |
| Brian W. Dressel                 | Office of the Ohio Consumers' Counsel             |
| Carpenter Lipps & Leland LLP     | 65 East State Street, 7 <sup>th</sup> Floor       |
| 280 Plaza, Suite 1300            | Columbus, Ohio 43215-4313                         |
| 280 North High Street            | terry.etter@occ.ohio.gov                          |
| Columbus, OH 43215               |   |
| bojko@carpenterlipps.com         |   |
| <u>Dutton@carpenterlipps.com</u> |   |
| dressel@carpenterlipps.com       |   |
| Counsel for Complainants         | Counsel for Office of the Ohio Consumers' Counsel |

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter of the Complaint of Citizens | ) |                         |
|--|---|-------------------------|
| Against Clear Cutting, Et Al.,             |   |                         |
|  | ) |                         |
| Complainants,                              | ) |                         |
| v.   | ) | Case No. 17-2344-EL-CSS |
|  | ) |                         |
| Duke Energy Ohio, Inc.,                    | ) |                         |
|  | ) |                         |
| Respondent.                                | ) |                         |
|  |   |                         |

## SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF MIKE PREISSLER

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 Mike Preissler (Mr. Preissler) and all witnesses whom Mr. Preissler intends to rely upon at hearing and any persons on whom Mr. Preissler relied upon in forming his opinion in the above captioned matter, on February 19, 2018 beginning at 11:00 a.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Elizabeth H. Watts (0031092)
Associate General Counsel
DUKE ENERGY OHIO, INC.
139 East Fourth Street
1303-Main
P.O. Box 960
Cincinnati, Ohio 45202
Telephone: (513) 287-4320
Rocco.D'Ascenzo@duke-energy.com
Elizabeth.Watts@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Mr. Preissler 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 Mr. Preissler relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Terry L. Etter                                    |
|---|
| Assistant Consumers' Counsel                      |
| Office of the Ohio Consumers' Counsel             |
| 65 East State Street, 7 <sup>th</sup> Floor       |
| Columbus, Ohio 43215-4313                         |
| terry.etter@puco.ohio.gov                         |
|   |
|   |
|   |
|   |
|   |
| Counsel for Office of the Ohio Consumers' Counsel |
|   |

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter | of the Complaint of Citizens | ) |                         |
|---------------|------------------------------|---|-------------------------|
| Against Clear | Cutting, Et Al.,             | ) |                         |
|               |                              | ) |                         |
|               | Complainants,                | ) |                         |
| v.            |                              | ) | Case No. 17-2344-EL-CSS |
|               |                              | ) |                         |
| Duke Energy   | Ohio, Inc.,                  | ) |                         |
|               |                              | ) |                         |
|               | Respondent.                  | ) |                         |
|               |                              |   |                         |

# SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF MELISA KUHNE

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 Melisa Kuhne (Ms. Kuhne) and all witnesses whom Ms. Kuhne intends to rely upon at hearing and any persons on whom Ms. Kuhne relied upon in forming her opinion in the above captioned matter, on February 19, 2018 at 1:00 p.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

/s/ Elizabeth H. Watts

Rocco O. D'Ascenzo (0077651) Deputy General Counsel Elizabeth H. Watts (0031092) Associate General Counsel DUKE ENERGY OHIO, INC. 139 East Fourth Street 1303-Main P.O. Box 960 Cincinnati, Ohio 45202

Cincinnati, Ohio 45202 Telephone: (513) 287-4320

Rocco.D'Ascenzo@duke-energy.com Elizabeth.Watts@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Ms. Kuhne 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 Ms. Kuhne relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Kimberly W. Bojko                | Terry L. Etter                              |
|----------------------------------|---|
| Stephen E. Dutton                | Assistant Consumers' Counsel                |
| Brian W. Dressel                 | Office of the Ohio Consumers' Counsel       |
| Carpenter Lipps & Leland LLP     | 65 East State Street, 7 <sup>th</sup> Floor |
| 280 Plaza, Suite 1300            | Columbus, Ohio 43215-4313                   |
| 280 North High Street            | terry.etter@occ.ohio.gov                    |
| Columbus, OH 43215               |   |
| bojko@carpenterlipps.com         |   |
| <u>Dutton@carpenterlipps.com</u> |   |
| dressel@carpenterlipps.com       | Counsel for Office of the Ohio Consumers'   |
|                                  | Counsel                                     |
| <b>Counsel for Complainants</b>  |   |
|                                  |   |

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter | of the Complaint of Citizens | ) |                         |
|---------------|------------------------------|---|-------------------------|
| Against Clear | Cutting, Et Al.,             | ) |                         |
|               |                              | ) |                         |
|               | Complainants,                | ) |                         |
| v.            | <del>-</del>                 | ) | Case No. 17-2344-EL-CSS |
|               |                              | ) |                         |
| Duke Energy   | Ohio, Inc.,                  | ) |                         |
|               |                              | ) |                         |
|               | Respondent.                  | ) |                         |
|               |                              |   |                         |

# SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF OLGA STAIOS

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 Olga Staios (Ms. Staios) and all witnesses whom Ms. Staios intends to rely upon at hearing and any persons on whom Ms. Staios relied upon in forming her opinion in the above captioned matter, on February 19, 2018 at 2:00 p.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

/s/ Elizabeth H. Watts

Rocco O. D'Ascenzo (0077651) Deputy General Counsel Elizabeth H. Watts (0031092) Associate General Counsel DUKE ENERGY OHIO, INC. 139 East Fourth Street 1303-Main P.O. Box 960 Cincinnati, Ohio 45202

Cincinnati, Ohio 45202 Telephone: (513) 287-4320

Rocco.D'Ascenzo@duke-energy.com Elizabeth.Watts@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Ms. Staios 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 Ms. Staios relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Kimberly W. Bojko               | Terry L. Etter                                   |
|---------------------------------|--|
| Stephen E. Dutton               | Assistant Consumers' Counsel                     |
| Brian W. Dressel                | Office of the Ohio Consumers' Counsel            |
| Carpenter Lipps & Leland LLP    | 65 East State Street, 7 <sup>th</sup> Floor      |
| 280 Plaza, Suite 1300           | Columbus, Ohio 43215-4313                        |
| 280 North High Street           | terry.etter@puco.ohio.gov                        |
| Columbus, OH 43215              |  |
| bojko@carpenterlipps.com        |  |
| Dutton@carpenterlipps.com       |  |
| dressel@carpenterlipps.com      |  |
|                                 |  |
| <b>Counsel for Complainants</b> | <b>Counsel for Office of the Ohio Consumers'</b> |
|                                 | Counsel  |
|                                 |  |
|                                 |  |
|                                 |  |

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter of the Complaint of Citizens | ) |                         |
|--|---|-------------------------|
| Against Clear Cutting, Et Al.,             |   |                         |
|  | ) |                         |
| Complainants,                              | ) |                         |
| v.   | ) | Case No. 17-2344-EL-CSS |
|  | ) |                         |
| Duke Energy Ohio, Inc.,                    | ) |                         |
|  | ) |                         |
| Respondent.                                | ) |                         |
|  |   |                         |

## SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF PAUL SMITH

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 Paul Smith (Mr. Smith) and all witnesses whom Mr. Smith intends to rely upon at hearing and any persons on whom Mr. Smith relied upon in forming his opinion in the above captioned matter, on February 19, 2018 at 3:00 p.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

/s/ Elizabeth H. Watts
Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Elizabeth H. Watts (0031092)
Associate General Counsel
DUKE ENERGY OHIO, INC.
139 East Fourth Street
1303-Main
P.O. Box 960
Cincinnati, Ohio 45202
Telephone: (513) 287-4320
Rocco.D'Ascenzo@duke-energy.com
Elizabeth.Watts@duke-energy.com
Jeanne.Kingery@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Mr. Smith 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 Mr. Smith relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Kimberly W. Bojko               | Terry L. Etter                              |
|---------------------------------|---|
| Stephen E. Dutton               | Assistant Consumers' Counsel                |
| Brian W. Dressel                | Office of the Ohio Consumers' Counsel       |
| Carpenter Lipps & Leland LLP    | 65 East State Street, 7 <sup>th</sup> Floor |
| 280 Plaza, Suite 1300           | Columbus, Ohio 43215-4313                   |
| 280 North High Street           | terry.etter@occ.ohio.gov                    |
| Columbus, OH 43215              |   |
| bojko@carpenterlipps.com        |   |
| Dutton@carpenterlipps.com       |   |
| dressel@carpenterlipps.com      |   |
|                                 |   |
| <b>Counsel for Complainants</b> | Counsel for Office of the Ohio Consumers'   |
|                                 | Counsel                                     |
|                                 |   |

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter | of the Complaint of Citizens | ) |                         |
|---------------|------------------------------|---|-------------------------|
| Against Clear | Cutting, Et Al.,             | ) |                         |
|               |                              | ) |                         |
|               | Complainants,                | ) |                         |
| v.            |                              | ) | Case No. 17-2344-EL-CSS |
|               |                              | ) |                         |
| Duke Energy   | Ohio, Inc.,                  | ) |                         |
|               |                              | ) |                         |
|               | Respondent.                  | ) |                         |
|               |                              |   |                         |

# SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF BARBARA CASPER

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 Barbara Casper (Ms. Casper) and all witnesses whom Ms. Casper intends to rely upon at hearing and any persons on whom Ms. Casper relied upon in forming her opinion in the above captioned matter, on February 19, 2018 beginning at 4:00 p.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

/s/ Elizabeth H. Watts
Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Elizabeth H. Watts (0031092)
Associate General Counsel
DUKE ENERGY OHIO, INC.
139 East Fourth Street
1303-Main
P.O. Box 960
Cincinnati, Ohio 45202
Telephone: (513) 287-4320
Rocco.D'Ascenzo@duke-energy.com
Elizabeth.Watts@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Ms. Casper 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 Ms. Casper relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Kimberly W. Bojko                | Terry L. Etter                              |
|----------------------------------|---|
| Stephen E. Dutton                | Assistant Consumers' Counsel                |
| Brian W. Dressel                 | Office of the Ohio Consumers' Counsel       |
| Carpenter Lipps & Leland LLP     | 65 East State Street, 7 <sup>th</sup> Floor |
| 280 Plaza, Suite 1300            | Columbus, Ohio 43215-4313                   |
| 280 North High Street            | terry.etter@occ.ohio.gov                    |
| Columbus, OH 43215               |   |
| bojko@carpenterlipps.com         |   |
| <u>Dutton@carpenterlipps.com</u> |   |
| dressel@carpenterlipps.com       | Counsel for Office of the Ohio Consumers'   |
|                                  | Counsel                                     |
| Counsel for Complainants         |   |
|                                  |   |

## THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter                  | of the Complaint of Citizens | ) |                         |
|--------------------------------|------------------------------|---|-------------------------|
| Against Clear Cutting, Et Al., |                              | ) |                         |
|                                |                              | ) |                         |
|                                | Complainants,                | ) |                         |
| v.                             | -                            | ) | Case No. 17-2344-EL-CSS |
|                                |                              | ) |                         |
| Duke Energy                    | Ohio, Inc.,                  | ) |                         |
|                                |                              | ) |                         |
|                                | Respondent.                  | ) |                         |
|                                |                              |   |                         |

# SECOND AMENDED NOTICE OF DUKE ENERGY OHIO, INC., TO TAKE DEPOSITION DUCES TECUM OF KIM WIETHORN

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 the Kim Wiethorn (Ms. Wiethorn) and all witnesses whom Ms. Wiethorn intends to rely upon at hearing and any persons on whom Ms. Wiethorn relied upon in forming her opinion in the above captioned matter, on February 19, 2018 beginning at 5:00 p.m. and continuing day-to-day thereafter until complete.

The depositions will take place at the Symmes Township Offices, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386. 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,

Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Elizabeth H. Watts (0031092)
Associate General Counsel
DUKE ENERGY OHIO, INC.
139 East Fourth Street
1303-Main
P.O. Box 960
Cincinnati, Ohio 45202
Telephone: (513) 287-4320
Rocco.D'Ascenzo@duke-energy.com
Elizabeth.Watts@duke-energy.com

Robert A. McMahon (0064319) Eberly McMahon Copetas LLC 2321 Kemper Lane, Suite 100 Cincinnati, Ohio 45206 (513) 533-3441 (telephone) (513) 533-3554 (fax) bmcmahon@emclawyers.com

- 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 Ms. Wiethorn 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 Ms. Wiethorn relative to the above-captioned proceeding.

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this 12th day of February, 2018.

| Columbus, OH 43215 <u>bojko@carpenterlipps.com</u> Dutton@carpenterlipps.com   |   |  |
|--|---|--|
| Dutton@carpenterlipps.com dressel@carpenterlipps.com  Counsel for Complainants | Counsel for Office of the Ohio Consumers' |  |
| Counsel for Complainants   | Counsel for Office of the Ohio Consumers' |  |

This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

2/12/2018 10:25:39 AM

in

Case No(s). 17-2344-EL-CSS

Summary: Notice of Deposition Second Amended electronically filed by Ms. Emily Olive on behalf of Duke Energy Ohio and D'Ascenzo, Rocco O. Mr. and Watts, Elizabeth H. Ms. and McMahon, Robert A. Mr.