

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|   |   |                        |
|---|---|------------------------|
|   | ) | Case No. 14-375-GA-RDR |
|   | ) | Case No. 15-452-GA-RDR |
| In the Matters of the Applications of Duke  | ) | Case No. 16-542-GA-RDR |
| Energy Ohio, Inc., for Adjustments to Rider | ) | Case No. 17-596-GA-RDR |
| MGP Rates.                                  | ) | Case No. 18-283-GA-RDR |
|   | ) | Case No. 19-174-GA-RDR |
|   |   |                        |
|   | ) | Case No. 14-376-GA-ATA |
|   | ) | Case No. 15-453-GA-ATA |
| In the Matters of the Applications of Duke  | ) | Case No. 16-543-GA-ATA |
| Energy Ohio, Inc. for Tariff Approval.      | ) | Case No. 17-597-GA-ATA |
|   | ) | Case No. 18-284-GA-ATA |
|   | ) | Case No. 19-175-GA-ATA |

---

**NOTICE OF PARTIAL WITHDRAWAL OF MOTION FOR PROTECTIVE  
ORDER  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

---

On October 8, 2019, the Office of the Ohio Consumers' Counsel ("OCC") filed a motion for protective order in these cases. In that motion, OCC asked the PUCO to issue an order to protect the redacted portions of the Direct Testimony of James R. Campbell Ph.D. and the Direct Testimony of Kerry J. Adkins that OCC filed in these cases. Subsequently, OCC and Duke have agreed that none of the information found in the testimony of Dr. Campbell is confidential.<sup>1</sup> Accordingly, OCC (i) withdraws the motion for protective order solely as it pertains to Dr. Campbell's testimony,<sup>2</sup> and (ii) concurrently with this notice files a new version of Dr. Campbell's testimony, which

---

<sup>1</sup> The email communications between OCC and Duke are attached.

<sup>2</sup> OCC does not withdraw the motion as it pertains to Mr. Adkins' testimony.

is identical to his testimony filed on October 8, 2019, but now without redactions. This newly filed testimony shall replace the previously redacted version.

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

*/s/ Christopher Healey*

---

Christopher Healey (0086027)

Counsel of Record

Amy Botschner-O'Brien (0074423)

Bryce McKenney (0088203)

Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

65 East State Street, 7th Floor

Columbus, Ohio 43215-4213

Telephone [Healey]: (614) 466-9571

Telephone [Botschner]: (614) 466-9575

Telephone [McKenney]: (614) 466-9585

[christopher.healey@occ.ohio.gov](mailto:christopher.healey@occ.ohio.gov)

[amy.botschner.obrien@occ.ohio.gov](mailto:amy.botschner.obrien@occ.ohio.gov)

[bryce.mckenney@occ.ohio.gov](mailto:bryce.mckenney@occ.ohio.gov)

(willing to accept service by e-mail)

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Notice of Partial Withdrawal of Motion for Protective Order was served on the persons stated below via electronic transmission this 7th day of November 2019.

/s/ Christopher Healey  
Christopher Healey  
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

### **SERVICE LIST**

[Thomas.mcnamee@ohioattorneygeneral.gov](mailto:Thomas.mcnamee@ohioattorneygeneral.gov)  
[Robert.eubanks@ohioattorneygeneral.gov](mailto:Robert.eubanks@ohioattorneygeneral.gov)  
[John.jones@ohioattorneygeneral.gov](mailto:John.jones@ohioattorneygeneral.gov)  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)  
[dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[jkylerncohn@BKLawfirm.com](mailto:jkylerncohn@BKLawfirm.com)

[Rocco.dasenzo@duke-energy.com](mailto:Rocco.dasenzo@duke-energy.com)  
[Elizabeth.watts@duke-energy.com](mailto:Elizabeth.watts@duke-energy.com)  
[Jeanne.kingery@duke-energy.com](mailto:Jeanne.kingery@duke-energy.com)  
[Larisa.vaysman@duke-energy.com](mailto:Larisa.vaysman@duke-energy.com)  
[Paul@carpenterlipps.com](mailto:Paul@carpenterlipps.com)  
[bojko@carpenterlipps.com](mailto:bojko@carpenterlipps.com)

Attorney Examiner:

[Megan.addison@puco.ohio.gov](mailto:Megan.addison@puco.ohio.gov)

## Healey, Christopher

---

**From:** Watts, Elizabeth H <Elizabeth.Watts@duke-energy.com>  
**Sent:** Wednesday, November 06, 2019 3:11 PM  
**To:** Healey, Christopher; D'Ascenzo, Rocco; Vaysman, Larisa; kmcmurray@fbtlaw.com  
**Cc:** Mckenney, Bryce  
**Subject:** RE: Duke MGP 19-174 - Campbell Testimony Redactions

Chris:

Sorry...that is correct. His testimony, not his deposition. Thanks.

EW

---

**From:** Christopher.Healey@occ.ohio.gov [mailto:Christopher.Healey@occ.ohio.gov]  
**Sent:** Wednesday, November 6, 2019 3:07 PM  
**To:** Watts, Elizabeth H <Elizabeth.Watts@duke-energy.com>; D'Ascenzo, Rocco <Rocco.D'Ascenzo@duke-energy.com>; Vaysman, Larisa <Larisa.Vaysman@duke-energy.com>; kmcmurray@fbtlaw.com  
**Cc:** Bryce.McKenney@occ.ohio.gov  
**Subject:** RE: Duke MGP 19-174 - Campbell Testimony Redactions

**\*\*\* Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\***

Thank you for reviewing and getting back to me quickly. I'm pretty sure that you mean his testimony and not deposition, but can you please confirm?

---

Christopher Healey  
Assistant Consumers' Counsel  
Office of the Ohio Consumers' Counsel  
65 East State Street, Suite 700  
Columbus, Ohio 43215  
614-466-9571  
[christopher.healey@occ.ohio.gov](mailto:christopher.healey@occ.ohio.gov)

---

**From:** Watts, Elizabeth H <[Elizabeth.Watts@duke-energy.com](mailto:Elizabeth.Watts@duke-energy.com)>  
**Sent:** Wednesday, November 06, 2019 3:05 PM  
**To:** Healey, Christopher <[Christopher.Healey@occ.ohio.gov](mailto:Christopher.Healey@occ.ohio.gov)>; D'Ascenzo, Rocco <Rocco.D'Ascenzo@duke-energy.com>; Vaysman, Larisa <[Larisa.Vaysman@duke-energy.com](mailto:Larisa.Vaysman@duke-energy.com)>; [kmcmurray@fbtlaw.com](mailto:kmcmurray@fbtlaw.com)  
**Cc:** Mckenney, Bryce <[Bryce.McKenney@occ.ohio.gov](mailto:Bryce.McKenney@occ.ohio.gov)>  
**Subject:** RE: Duke MGP 19-174 - Campbell Testimony Redactions

Chris:

After some internal discussion we do not see any problems with Campbell's un-redacted deposition being made public in this proceeding. Thanks for checking.

Elizabeth

---

**From:** [Christopher.Healey@occ.ohio.gov](mailto:Christopher.Healey@occ.ohio.gov) [<mailto:Christopher.Healey@occ.ohio.gov>]  
**Sent:** Wednesday, November 6, 2019 9:00 AM  
**To:** Watts, Elizabeth H <[Elizabeth.Watts@duke-energy.com](mailto:Elizabeth.Watts@duke-energy.com)>; D'Ascenzo, Rocco <[Rocco.D'Ascenzo@duke-energy.com](mailto:Rocco.D'Ascenzo@duke-energy.com)>; Vaysman, Larisa <[Larisa.Vaysman@duke-energy.com](mailto:Larisa.Vaysman@duke-energy.com)>; [kmcmurray@fbtlaw.com](mailto:kmcmurray@fbtlaw.com)  
**Cc:** [Bryce.McKenney@occ.ohio.gov](mailto:Bryce.McKenney@occ.ohio.gov)  
**Subject:** Duke MGP 19-174 - Campbell Testimony Redactions

Elizabeth,

At Mr. Bachand's deposition, we discussed potentially un-redacting at least some of Dr. Campbell's testimony. Our hope is that we can file the entire thing without redactions, given that his testimony focuses on Duke's chosen investigation and remediation methods, and the cost related thereto, both of which Duke's witnesses discuss in detail publicly throughout these cases. I've attached a summary that identifies each piece that is currently redacted and my quick thoughts on why they should potentially be made public. Please let me know what you think. I'm hoping we can agree on the un-redactions so that OCC can refile the public version before the hearing, and we can avoid going into confidential session at the hearing.

Call me anytime if you want to discuss.

Thank you,  
Chris

---

Christopher Healey  
Assistant Consumers' Counsel  
Office of the Ohio Consumers' Counsel  
65 East State Street, Suite 700  
Columbus, Ohio 43215  
614-466-9571  
[christopher.healey@occ.ohio.gov](mailto:christopher.healey@occ.ohio.gov)

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**11/7/2019 4:12:31 PM**

**in**

**Case No(s). 14-0375-GA-RDR, 15-0452-GA-RDR, 16-0542-GA-RDR, 17-0596-GA-RDR, 18-0283-GA-RD**

Summary: Notice Notice of Partial Withdrawal of Motion for Protective Order by The Office of The Ohio Consumers' Counsel electronically filed by Mrs. Tracy J Greene on behalf of Healey, Christopher