BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates.))	Case No. 17-32-EL-AIR
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.)	Case No. 17-33-EL-ATA
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)	Case No. 17-34-EL-AAM

NOTICE OF DUKE ENERGY OHIO, INC., 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 OCC relied upon in forming its opinion in the above captioned matter, on November 27, 2017, beginning at 3:00 P.M. 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,

/s/ Jeanne W. Kingery
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 6th day of October, 2017.

/s/ Jeanne W. Kingery Jeanne W. Kingery

Steven L. Beeler
Robert A. Eubanks
Assistant Attorneys General
Public Utilities Section
30 East Broad St., 16th Floor
Columbus, Ohio 43215
Steven.beeler@ohioattorneygeneral.gov
Robert.eubanks@ohioattorneygeneral.gov

William Michael
Christopher M. Healey
Assistant Consumers' Counsel
Office of the Ohio Consumers'
Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
Christopher.healey@occ.ohio.gov

Counsel for Staff of the Commission

Counsel for Office of the Ohio Consumers' Counsel Frank P. Darr

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

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 Ohio Energy Group

Counsel for Industrial Energy Users-Ohio

Michael D. Dortch Richard R. Parsons Justin M. Dortch Kravitz, Brown & Dortch, LLC 65 East State Street, Suite 200 Columbus, Ohio 43215 mdortch@kravitzllc.com Madeline Fleisher 21 West Broad St., 8th Floor Columbus, OH 43215 <u>mfleisher@elpc.org</u>

Counsel for Calpine Energy Solutions, LLC

Counsel for Environmental Law & Policy Center

Dylan F. Borchers
Devin D. Parram
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
dborchers@bricker.com
dparram@bricker.com

Elyse Akhbari Counsel of Record Bricker & Eckler LLP 100 South Third Street Columbus, OH 43215 eakhbari@bricker.com

Counsel for Ohio Hospital Association

Counsel for People Working Cooperatively, Inc.

Richard L. Sites Regulatory Counsel 155 East Broad Street, 3rd Floor Columbus, OH 43215-3620 Rick.sites@ohiohospitals.org Miranda Leppla
Counsel of Record
Trent Dougherty
1145 Chesapeake Avenue, Suite I
Columbus, Ohio 43212-3449
mleppla@theOEC.org
tdougherty@theOEC.org

Counsel for Ohio Hospital Association

Counsel for Ohio Environmental Council and Environmental Defense Fund

Angela Paul Whitfield Carpenter Lipps & Leland LLP 280 North High Street, Suite 1300 Columbus, Ohio 43215 paul@carpenterlipps.com Joseph Oliker Michael Nugent 6100 Emerald Parkway Dublin, Ohio 43016 joliker@igsenergy.com mnugent@igsenergy.com

Counsel for The Kroger Co.

Counsel for IGS Energy

Colleen L. Mooney 1431 Mulford Road Columbus, Ohio 43212 cmooney@ohiopartners.org Kurt J. Boehm Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 kboehm@BKLlawfirm.com

Counsel for Ohio Partners for Affordable Energy

Counsel for the City of Cincinnati

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

jweber@environlaw.com

Andrew J. Campbell
Rebekah J. Glover
Whitt, Sturtevant LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, Ohio 43215
whitt@whitt-sturtevant.com
Campbell@whitt-sturtevant.com
glover@whitt-sturtevant.com

Mark A. Whitt

Counsel for The Ohio Manufacturers' Association Energy Group

D. David Altman (Counsel of Record) Justin D. Newman J. Michael Weber D. DAVID ALTMAN CO., L.P.A. 15 East 8th Street, Suite 200W Cincinnati, Ohio 45202 daltman@environlaw.com jnewman@environlaw.com

Counsel for the Retail Energy Supply Association (RESA)

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

Counsel for Cincinnati Clean Energy Foundation

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

Samantha Williams
Staff Attorney
Natural Resources Defense Council
20 N. Wacker Drive, Suite 1600
Chicago, IL 60606
swilliams@nrdc.org

Counsel for the Natural Resources Defense Council