

BEFORE
THE OHIO POWER SITING BOARD

In the Matter of the Application of Duke)
Energy Ohio, Inc., for a Certificate of)
Environmental Compatibility and Public) Case No. 16-0253-GA-BTX
Need for the C314V Central Corridor)
Pipeline Extension Project.)

FIRST NOTICE OF DUKE ENERGY OHIO, INC.
TO TAKE DEPOSITION *DUCES TECUM* OF
KENWOOD MALL, LLC

Pursuant to Ohio Admin. Code Rule 4901-1-21(B), please take notice that Duke Energy Ohio, Inc., (Duke Energy Ohio) will take the oral deposition of all witnesses that Kenwood Mall, LLC, intends to rely upon at hearing and on which Kenwood Mall, LLC, relied upon in forming its opinion in the above captioned matter on September 5, 2017, beginning at 10:00 AM, and will continue thereafter until complete.

The deposition will take place at Duke Energy Ohio's offices located at 139 East Fourth Street, 1301 Main, Cincinnati, Ohio 45202. The deposition 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 4906-2-18(N) and 4906-2-19, all witnesses are requested to produce at the time of their deposition true and accurate copies of the documents identified in Exhibit A.

The deposition will begin at 10:00 AM and continue day to day until complete. Parties are invited to attend and to cross-examine.

Respectfully submitted,

/s/ Jeanne W. Kingery

Amy B. Spiller (0047277)

Deputy General Counsel

Jeanne W. Kingery (0012172) (Counsel of Record)

Associate General Counsel

Amy.spiller@duke-energy.com

Jeanne.kingery@duke-energy.com

DUKE ENERGY OHIO, INC.

139 East Fourth Street ML 1303 Main

P. O. Box 960

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 witness produce true and accurate copies of the following documents:

1. Any and all documents that were reviewed by said witness for purposes of preparing their direct testimony relative to the above-captioned proceeding.
2. Any and all documents created or authored by said witness for purposes of preparing their direct testimony relative to the above-captioned proceeding.
3. Any and all documents referenced in said witness's direct testimony relative to the above-captioned proceeding.
4. Any and all documents reviewed by said witness in preparing, or otherwise assisting in the preparation of, discovery responses submitted by Kenwood Mall, LLC, relative to the above-captioned proceeding.
5. Any and all documents prepared by said witness for purposes of preparing, or otherwise assisting in the preparation of, discovery responses submitted by Kenwood Mall, LLC, 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 16th day of August, 2017.

/s/ Jeanne W. Kingery
Jeanne W. Kingery

William Wright
Section Chief
Robert Eubanks
Assistant Attorney General
Steven Beeler
Assistant Attorney General
Public Utilities Section
30 East Broad St., 6th Floor
Columbus, Ohio 43215
William.wright@ohioattorneygeneral.gov
Robert.eubanks@ohioattorneygeneral.gov
steven.beeler@ohioattorneygeneral.gov

Counsel for Staff of the Commission

James Yskamp
Emily A. Collins
Fair Shake Environmental Legal
Services
159 S. Main Street, Suite 1030
Akron, OH 44308
jyskamp@fairshake-els.org
ecollins@fairshake-els.org

Counsel for NOPE – Neighbors Opposed to Pipeline Extension, LLC

Brian W. Fox
Graydon Head & Ritchey LLP
312 Walnut St. Suite 1800
Cincinnati, OH 45202
bfox@graydon.law

Counsel for Mayor Melisa Adrien, City of Madeira

Gregory G. Laux
Attorney at Law
3134 Schubert Avenue
Cincinnati, Ohio 45213
glaux2001@gmail.com

Counsel for Pleasant Ridge Community Council

James F. Lang
Steven D. Lesser
Mark T. Keaney
Calfee, Halter & Griswold LLP
The Calfee Building
1405 East Sixth Street
Cleveland, OH 44114
jlang@calfee.com
slesser@calfee.com
mkeaney@calfee.com

Counsel for the City of Cincinnati and for the Board of County Commissioners of Hamilton County, Ohio

Timothy M. Burke
Micah E. Kamrass
Manley Burke, LPA
225 W. Court Street
Cincinnati, OH 45202
tburke@manleyburke.com
mkamrass@manleyburke.com

Counsel for the Village of Evendale

Bryan E. Pacheco
Mark G. Arnzen, Jr.
Dinsmore & Shohl LLP
255 East Fifth Street, Suite 1900
Cincinnati, OH 45202
Bryan.pacheco@dinsmore.com
Mark.arnzen@dinsmore.com

**Counsel for City Manager David
Waltz and the City of Blue Ash, Ohio
and for Columbia Township and
David Kubicki, President of the Board
of Trustees of Columbia Township**

R. Douglas Miller
Robert T. Butler
Donnellon, Donnellon & Miller LPA
9079 Montgomery Road
Cincinnati, OH 45242
miller@donnellonlaw.com

**Counsel for Thomas J. Weidman,
President, Board of Township
Trustees of Sycamore Township, Ohio
and Sycamore Township**

Kevin K. Frank
Wood & Lamping LLP
600 Vine Street, Suite 2500
Cincinnati, OH 45202-2491
kkfrank@woodlamping.com

**Counsel for Amberley Village and
Scot Lahrmer, Village Manager**

Roger E. Friedmann
Michael J. Friedmann
Jay R. Wampler
Assistant Prosecuting Attorneys
Suite 4000
230 E. Ninth Street
Cincinnati, OH 45202
Roger.friedmann@hcpros.org
Michael.friedmann@hcpros.org
Jay.wampler@hcpros.org

**Counsel for Board of County
Commissioners of Hamilton County,
Ohio**

Terrence M. Donnellon
Solicitor, The Village of Golf Manor,
Ohio
Robert T. Butler
Donnellon, Donnellon & Miller LPA
9079 Montgomery Road
Cincinnati, OH 45242
tmd@donnellonlaw.com

**Counsel for The Village of Golf
Manor, Ohio and Mayor Ron Hirth**

David T. Stevenson
Law Director
Kenwood Mall, LLC
1000 Market St.
Reading, OH 45215
dstevenson@cinci.rr.com

Counsel for the City of Reading

Andrew J. Helmes
Law Director
Kenwood Mall, LLC
7777 Blue Ash Road
Deer Park, OH 45236
ahelmes@deerpark-oh.gov

**Counsel for Mayor John Donnellon
and the City of Deer Park, Ohio**

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

**Counsel for The Jewish Hospital –
Mercy Health**

Joseph Olikier
Counsel of Record
6100 Emerald Parkway
Dublin, OH 43016
joliker@igsenergy.com

Counsel for IGS Energy

Richard B. Tranter
Kevin M. Detroy
Dinsmore & Shohl LLP
255 East Fifth Street, Suite 1900
Cincinnati, OH 45202
Richard.tranter@dinsmore.com
Kevin.detroy@dinsmore.com

**Counsel for BRE DDR Crocodile
Sycamore Square LLC
Counsel for Kenwood Mall, LLC**

Kent Bucciere
The Bucciere Firm
10149 Kenwood Rd
Blue Ash, OH 45242
Kent.bucciere@gmail.com

**Counsel for 10149 LLC
Counsel for RLB Inc.
Counsel for Coprop Inc.**