

**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**  
**NOPE – NEIGHBORS OPPOSED TO PIPELINE EXTENSION, 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 NOPE – Neighbors Opposed to Pipeline Extension, LLC, intends to rely upon at hearing and on which NOPE – Neighbors Opposed to Pipeline Extension, 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](mailto:Amy.spiller@duke-energy.com)

[Jeanne.kingery@duke-energy.com](mailto: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 the NOPE – Neighbors Opposed to Pipeline Extension, 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 the NOPE – Neighbors Opposed to Pipeline Extension, 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 16<sup>th</sup> 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](mailto: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 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  
City of Reading  
1000 Market St.  
Reading, OH 45215  
dstevenson@cinci.rr.com

**Of Counsel – City of Reading**

Andrew J. Helmes  
Law Director  
City of Deer Park  
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.**