**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Commission’s Investigation into Verde Energy USA Ohio, LLC’s Compliance with the Ohio Administrative Code and Potential Remedial Actions for Non-Compliance. | )  )  )  )  )  ) | Case No. 19-0958-GE-COI |

**NOTICE TO TAKE DEPOSITIONS**

**AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

**BY**

**THE OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

To:

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Please take notice under Ohio Adm. Code 4901-1-21(B) that the Office of the Ohio Consumers’ Counsel (“OCC”) will take the oral depositions of Verde Energy USA Ohio, LLC (“Verde”) beginning on October 14, 2019 at 10:00 a.m. Eastern Time, or at a date and time as mutually agreed upon by OCC and Verde Energy USA Ohio, LLC (“Verde”) on the following matters:

1. the PUCO Staff’s finding that a consumer received a call from Verde on his work phone where the caller ID displayed US GOVT IRS 513-263-578. *See* Staff Report at footnote 11 (May 29, 2019)
2. the PUCO Staff’s finding that several consumers received a call from Verde in which the caller ID displayed numbers that began with 513-287 and 513-263, which are the area code and prefixes in use by Duke Energy Ohio employees in Cincinnati, Ohio. *See* Staff Report at footnote 12 (May 29, 2019).
3. the PUCO Staff’s finding that a customer received a call from Jack Jordan (Verde ID # 121125) in which the caller ID indicated that the call was from the Illuminating Company. *See* Staff Report at footnote 13, PUCO Call Center Case ID # 265297 (May 29, 2019).
4. the PUCO Staff’s finding that a Verde sales representative spoofed the number of a local utility toll-free customer service number (800-672-2231). *See* Staff Report at footnote 14, PUCO Call Center Case ID # 2457477, 248892 (May 29, 2019).
5. the information sought by OCC in its sixth set of discovery served on Verde on September 25, 2019.

In accordance with 4901-1-21(F), Verde shall choose one or more of its officers, agents, employees, or other persons duly authorized to testify on its behalf at the depositions on the matters on which examination is requested, as listed in paragraphs a-e, above. Once Verde has chosen the deponent(s), Verde shall promptly identify each person designated to be deposed and the matters on which he or she will testify.

The depositions will take place at the offices of OCC, 65 E. State St., 7th Floor, Columbus, Ohio 43215, at a location mutually agreeable to OCC and Verde, or telephonically if mutually agreeable to OCC and Verde. The deponents will appear at the agreed upon place at the designated time and date and remain present until deposed.

The depositions will be taken of the aforementioned deponents on relevant topics within the scope of these proceedings. The depositions will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions.

Under Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20 Verde is requested to produce one full day in advance of the deposition, and within seven days of this deposition notice, the following documents:

1. A resume or curriculum vitae for each Verde designated deponent.
2. All documents related to the Verde designated deponent’s knowledge or expertise of the matters identified in paragraphs (a) through (e) above.

Respectfully submitted,

Bruce Weston (0016973)

Ohio Consumers’ Counsel

*/s/ Angela D. O’Brien*

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*Outside Counsel for*

*The Office of the Ohio Consumers’ Counsel*

**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing Notice to Take Depositions and Requests for Production of Documents was served by electronic transmission upon the parties below this 7th day of October 2019.

*/s/ Angela D. O’Brien*

Angela D. O’Brien

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**

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