

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke	)	
Energy Ohio, Inc. for an Increase in Gas	)	Case No. 07-589-GA-AIR
Rates	)	
In the Matter of the Application of Duke	)	
Energy Ohio, Inc. for Approval of an	)	Case No. 07-590-GA-ALT
Alternative Rate Plan for its Gas	)	
Distribution Service	)	
In the Matter of the Application of Duke	)	
Energy Ohio, Inc. for Approval to Change	)	Case No. 07-591-GA-AAM
Accounting Methods	)	

**DUKE ENERGY OHIO'S
NOTICE TO TAKE DEPOSITION OF BRUCE M. HAYES,
WITNESS FOR OHIO CONSUMERS' COUNSEL,
UPON ORAL EXAMINATION AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Ohio Admin. Code Rule 4901-1-21(B), please take notice that Duke Energy Ohio will take the oral deposition of Bruce M. Hayes in the above-captioned matters.

By agreement with counsel for OCC, the depositions will take place at the Office of Ohio Consumers' Counsel, 10 West Broad Street, Suite 1800, Columbus, Ohio 43215. The deposition will begin at 2:00 p.m. on February 21, 2008. Parties are invited to attend and to cross-examine.

The deposition of Mr. Hayes will be taken on relevant topics within his areas of expertise, including but not limited to the subject matter of his testimony. The deposition will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions and will continue from day to day, except for holidays and weekends, until completed.

Pursuant to Ohio Admin. Code 4901-1-21(E) and 4901-1-20, the deponent is requested to produce at the time of his deposition all documents relating to his testimony in these proceedings or responses to discovery, including, but not limited to, the results of studies done for these proceedings and any backup documentation, including raw data, for those studies. Deponent is also requested to produce at the time of his deposition copies of all documents cited in his testimony.

Respectfully submitted,

/s/ John J. Finnigan, Jr.

John J. Finnigan, Jr.

Attorneys for
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing pleading was served on the following by e-filing and by e-mail, upon the following parties listed, this 19th day of February, 2008.

/s/ John J. Finnigan, Jr.

John J. Finnigan, Jr.

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