

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc., for the Establishment)
of a Charge Pursuant to Revised Code) Case No. 12-2400-EL-UNC
Section 4909.18.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval to) Case No. 12-2401-EL-AAM
Change Accounting Methods.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for the Approval of a) Case No. 12-2402-EL-ATA
Tariff for a New Service.)

**DUKE ENERGY OHIO, INC.'S NOTICE OF DEPOSITION
DUCES TECUM OF KEVIN C. HIGGINS**

Pursuant to Ohio Admin. Code Sections 4901-1-21 and 4901-1-20, please take notice that Duke Energy Ohio (Duke Energy) will take the oral deposition of Kevin C. Higgins, who has been identified as a witness for The Kroger Co. (Kroger) and upon whom Kroger intends to rely upon at hearing in the above-captioned matter, on Friday, April 12, 2013, at 2:15 p.m.

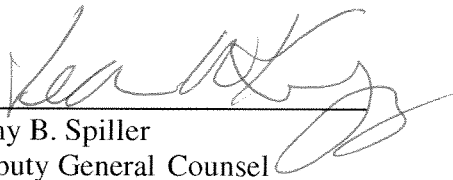
The witness is further instructed to produce at his deposition true and accurate copies of the following:

1. Documents on which the witness relied for purposes of preparing his direct testimony, including, but not limited to, work papers;
2. Documents that the witness reviewed for purposes of preparing his direct testimony;
and
3. Documents that the witness is sponsoring.

Said deposition will be recorded via stenographic means by a court reporter authorized to administer oaths in the state of Utah and shall occur at the offices of Energy Strategies, LLC., 215 South State Street, Suite 200. Salt Lake City, Utah, 84111.

The deposition will begin at 2:15 p.m. and continue until its conclusion. Such deposition will take place telephonically, and counsel for Duke Energy Ohio will circulate a call-in number for the deposition.

Respectfully submitted,

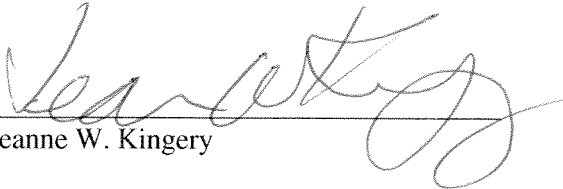


Amy B. Spiller
Deputy General Counsel
Rocco D'Ascenzo
Associate General Counsel
Jeanne Kingery
Associate General Counsel
Elizabeth Watts
Associate General Counsel
Duke Energy Business Services
139 E. Fourth Street
1303-Main
Cincinnati, Ohio 45202
(513) 287-4359 (telephone)
(513) 287-4385 (facsimile)

Attorneys for Duke Energy Ohio, Inc

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was delivered by U.S. mail (postage prepaid), personal, or electronic mail, on this 28th day of March, 2013, to the following parties.



Jeanne W. Kingery

Steven Beeler
John Jones
Assistant Attorneys General
Public Utilities Section
180 East Broad St.
Columbus, Ohio 43215
Steven.beeler@puc.state.oh.us
John.jones@puc.state.oh.us

Samuel C. Randazzo
Frank P. Darr
Joseph E. Olikier
Matthew R. Pritchard
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, Ohio 43215
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com
mpritchard@mwncmh.com

Counsel for Staff of the Commission

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, Ohio 45839-1793
cmooney2@columbus.rr.com

**Counsel for Industrial Energy Users-
Ohio**

Maureen R. Grady
Kyle L. Kern
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
grady@occ.state.oh.us
kern@occ.state.oh.us

**Counsel for Ohio Partners for
Affordable Energy**

**Counsel for the Ohio Consumers'
Counsel**

David F. Boehm
Michael L. Kurtz
Jody M. Kyler
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
dboehm@BKLawfirm.com
mkurtz@BKLawfirm.com
jkyler@BKLawfirm.com

Counsel for the Ohio Energy Group

Douglas E. Hart
441 Vine Street
Suite 4192
Cincinnati, Ohio 45202
dhart@douglasshart.com

Counsel for Cincinnati Bell Inc.

Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215-4291
tobrien@bricker.com

Counsel for City of Cincinnati

James F. Lang
N. Trevor Alexander
Calfee, Halter & Griswold LLP
1405 East Sixth Street
Cleveland, Ohio 44114
jlang@calfee.com
talexander@calfee.com

Counsel for FirstEnergy Solutions Corp.

Douglas E. Hart
441 Vine Street
Suite 4192
Cincinnati, Ohio 45202
dhart@douglasshart.com

Counsel for The Greater Cincinnati Health Council

Kimberly W. Bojko
Mallory M. Mohler
Carpenter Lipps & Leland LLP
280 North High Street
Suite 1300
Columbus, Ohio 43215
Bojko@CarpenterLipps.com
Mohler@CarpenterLipps.com

Counsel for The Kroger Company

Mark A. Hayden
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
haydenm@firstenergycorp.com

Counsel for FirstEnergy Solutions Corp.

David A. Kutik
Lydia M. Floyd
Jones Day
901 Lakeside Ave
Cleveland OH 44114
dakutik@jonesday.com
lfloyd@jonesday.com

Counsel for FirstEnergy Solutions Corp.

Jay E. Jadwin
Yazen Alami
American Electric Power Service
Corporation
155 Nationwide Ave.
Columbus, Ohio 43215
jejadwin@aep.com
yalami@aep.com

Counsel for AEP Energy

David Stahl
Eimer Stahl LLP
224 S. Michigan Ave., Ste 1100
Chicago, Illinois 60604
dstahl@eimerstahl.com

**For Constellation NewEnergy, Inc. and
Exelon Generation Company, LLC**

David I. Fein
Constellation Energy Group, Inc.
550 W. Washington Blvd., Suite 300
Chicago, Illinois 60661
David.fein@constellation.com

**For Constellation NewEnergy, Inc. and
Exelon Generation Company, LLC**

Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service
Corporation
1 Riverside Plaza 29th Floor
Columbus, Ohio 43215
stnourse@aep.com
mjsatterwhite@aep.com

Counsel for Ohio Power Company

M. Howard Petricoff
Lija Kaleps-Clark
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street, P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vorys.com
lkalepsclark@vorys.com

**Counsel for Constellation NewEnergy,
Inc. and Exelon Generation Company,
LLC**

Stephen Bennett
Exelon Corporation
300 Exelon Way
Kennett Square, Pennsylvania 19348
Stephen.bennett@exeloncorp.com

**For Constellation NewEnergy, Inc. and
Exelon Generation Company, LLC**

Cynthia Fonner Brady
Constellation Energy Resources, LLC
550 W. Washington Blvd., Suite 300
Chicago, Illinois 60661
Cynthia.brady@constellation.com

**For Constellation NewEnergy, Inc. and
Exelon Generation Company, LLC**

M. Howard Petricoff
Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street, P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vorys.com
smhoward@vorys.com

Counsel for Interstate Gas Supply, Inc.

M. Howard Petricoff
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street, P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vorys.com

M. Howard Petricoff
Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street, P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vorys.com
smhoward@vorys.com

**Counsel for Miami University and the
University of Cincinnati**

Joseph G. Strines
DPL Energy Resources Inc.
1065 Woodman Drive
Dayton, Ohio 45432
Joseph.strines@DPLINC.com

**Counsel for the Retail Energy Supply
Association**

Judi L. Sobecki
Randall V. Griffin
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, Ohio 45432
Judi.sobecki@DPLINC.com
Randall.griffin@DPLINC.com

Counsel for DPL Energy Resources

Kevin J. Osterkamp
Roetzel & Andress LPA
PNC Plaza, 12th Floor
155 East Broad Street
Columbus, Ohio 43215
kosterkamp@ralaw.com

**Counsel for The Dayton Power and
Light Company**

Rick D. Chamberlain
Behrens, Wheeler & Chamberlain
6 N.E. 63rd Street, Suite 400
Oklahoma City, Oklahoma 73105
Rdc_law@swbell.net

**Counsel for Wal-Mart Stores East, LP,
and Sam's East, Inc.**

Barth E. Royer
Bell & Royer Co., LPA
33 South Grant Avenue
Columbus, Ohio 43215-3927
BarthRoyer@aol.com

**Counsel for Wal-Mart Stores East, LP,
and Sam's East, Inc.**

Gary A. Jeffries
Dominion Resources Services, Inc.
501 Martindale Street, Suite 400
Pittsburgh, Pennsylvania 15212-5817
Gary.A.Jeffries@dom.com

Counsel for Dominion Retail, Inc.

Counsel for Dominion Retail, Inc.

J. Thomas Siwo
Matthew W. Warnock
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215-4291
tsiwo@bricker.com
mwarnock@bricker.com

**Counsel for The Ohio Manufacturers'
Association**