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**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)
American Water Company to Increase)
Its Rates for Water and Sewer Services)
Provided to Its Entire Service Area.)

Case No. 06-433-WW-AIR

PUCO

**MOTION FOR
SUBPOENA DUCES TECUM**

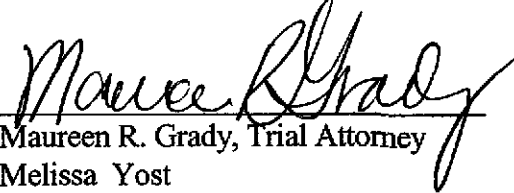
Now comes the Office of the Ohio Consumers' Counsel ("OCC") and, pursuant to Ohio Adm. Code 4901-1-25, hereby respectfully moves the Public Utilities Commission of Ohio ("Commission" or "PUCO"), any commissioner, the legal director, the deputy legal director, or the attorney examiner assigned to this case to issue a subpoena duces tecum compelling Thomas Schwing, Operations Superintendent, Ohio American Water Company, to appear for hearing and attend day-to-day to submit to oral examination as on cross-examination in this proceeding until completed to provide fact information about the Huber Ridge brown water issue.

The subpoena should also compel the witness to bring with him and provide to OCC at the outset of the hearing any and all documents pertaining to correspondence related to Ohio EPA documents, including e-mail and other forms of correspondence, with Ohio American Water company on the Huber Ridge brown water issue, and all documents in the Company's possession and control pertaining to the Huber Ridge brown water issue. Grounds for this Motion are set forth in the accompanying Memorandum in Support.

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Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL

A handwritten signature in black ink, appearing to read "Maureen R. Grady", is written over a horizontal line.

Maureen R. Grady, Trial Attorney
Melissa Yost
Assistant Consumers' Counsel

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MEMORANDUM IN SUPPORT

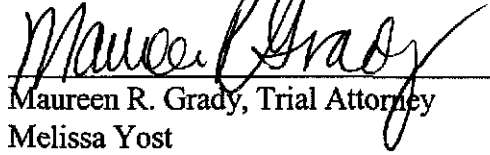
The OCC requests a subpoena, pursuant to Ohio Adm. Code 4901-1-25, to command Thomas Schwing, Operations Superintendent, Ohio American Water Company, to appear for the hearing and attend day-to-day to submit to oral examination as on cross-examination by OCC in this proceeding until completed.

The hearing in this case is currently scheduled to begin on December 11, 2006. The brown water issue at Huber Ridge is a central issue in this case. Mr. Schwing has in-depth knowledge and expertise on this issue and will facilitate a full and completely developed record upon which the Commission can base its decision

Additionally, OCC requests the PUCO to command Mr. Schwing to bring with him, for delivery to OCC at the outset at the hearing, any and all documents in his possession and control related to the brown water issue at Huber Ridge. This information is central to understanding and addressing the brown water issue at Huber Ridge.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL

A handwritten signature in cursive script, appearing to read "Maureen R. Grady", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Subpoena Duces Tecum, was served by first class mail, or by hand delivery, to the following parties of record, this the 6th day of December, 2006.


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Assistant Consumers' Counsel

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