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STATE OF OHIO
PUBLIC UTILITIES COMMISSION
180 EAST BROAD STREET
COLUMBUS, OHIO 43266-0573

Robert Taft
GOVERNOR



THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA DUCES TECUM

TO: C T Corporation System
Agent for Duke Energy Retail Sales, LLC
1300 East 9th Street
Cleveland, Ohio 44114

Upon application of Counsel for the Office of the Ohio Consumers' Counsel ("OCC"), Duke Energy Retail Sales, LLC ("DERS"), by its attorney or statutory agent is hereby required to provide a witness to appear for oral examination on January 3, 2007 at the offices of the OCC (10 W. Broad Street, 18th Floor, Columbus, Ohio 43215) at 3:30 p.m. and submit to oral testimony by cross examination by the OCC regarding Case Nos. 06-986-EL-UNC, 03-93-EL-ATA, 03-2079-EL-AAM, 03-2081-EL-AAM, 03-2080-EL-ATA, 06-1068-EL-UNC, 05-725-EL-UNC, 06-1069-EL-UNC, 05-724-EL-UNC, and 06-1085-EL-UNC, all cases related to Duke Energy Ohio, Inc.'s standard service offer charges. In addition, you are required at said time and place to provide to the OCC i) all documents (all forms, including hard copies of information stored on electronic media) containing agreements as well as any and all agreements between DERS and customers of Duke Energy, ii) all documents (all forms, including hard copies of information stored on electronic media) as well as any and all agreements between an affiliate company of DERS and customers of Duke Energy, and iii) all documents (all forms, including hard

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Date Processed 12-18-06

copies of information stored on electronic media) containing correspondence related to these agreements with (by way of example only) Duke Energy customers, and representatives of companies affiliated with DERS, and iv) all documents (all forms, including hard copies of information stored on electronic media) in the possession and control of DERS pertaining to the aforementioned agreements. The period of time covered by the aforementioned materials is December 15, 2003 and continues to the date of the examination. The witness should be knowledgeable regarding the aforementioned matters..

Dated at Columbus, Ohio, this 18th day of December, 2006.

BY: Scott E Farkas

TITLE: Attorney Examiner

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Duke Energy Ohio To Modify Its)	Case No. 06-986-EL-UNC
Market-Based Standard Service Offer.)	
In the Matter of the Application of)	
The Cincinnati Gas & Electric Company)	
To Modify its Non-Residential Generation)	
Rates to Provide for Market-Based Standard)	Case No. 03-93-EL-ATA
Service Offer Pricing and to Establish a Pilot)	
Alternative Competitively-Bid Service Rate)	
Option Subsequent to Market Development)	
Period.)	
In the Matter of the Application of The)	
Cincinnati Gas & Electric Company for)	
Authority to Modify Current Accounting)	Case No. 03-2079-EL-AAM
Procedures for Certain Costs Associated)	
with The Midwest Independent Transmission)	
System Operator.)	
In the Matter of the Application of The)	
Cincinnati Gas & Electric Company for)	
Authority to Modify Current Accounting)	Case No. 03-2081-EL-AAM
Procedures for Capital Investment in its)	Case No. 03-2080-EL-ATA
Electric Transmission and Distribution)	
System And to Establish a Capital)	
Investment Reliability Rider to be Effective)	
After the Market Development Period.)	
In the Matter of the Application of)	
Duke Energy Ohio, Inc. to Modify Its)	
Fuel and Economy Purchased)	Case No. 06-1068-EL-UNC
Power Component of Its Market-Based)	
Standard Service Offer.)	
In the Matter of the Application of the)	
Cincinnati Gas & Electric Company to)	
Modify Its Fuel and Economy Purchased)	Case No. 05-725-EL-UNC
Power Component of Its Market-Based)	
Standard Service Offer.)	

In the Matter of the Application of)
Duke Energy Ohio, Inc. to Adjust and Set its) Case No. 06-1069-EL-UNC
System Reliability Tracker.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Adjust and Set its) Case No. 05-724-EL-UNC
System Reliability Tracker Market Price.)

In the Matter of the Application of)
Duke Energy Ohio, Inc.) Case No. 06-1085-EL-UNC
To Adjust and Set the Annually Adjusted)
Standard Service Offer.)

RETURN OF SERVICE

State of Ohio)
) ss.
County of Franklin)

_____, being duly sworn, states that he is over eighteen (18)
years of age, and that on _____, at approximately _____m., he served
the within subpoena on _____, by delivering a copy thereof to
said person at _____.

Subscribed and sworn to before me this the _____ day of _____, 2006
