

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

RECEIVED-DOCKETING DIV  
2006 DEC 27 PM 1:34

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. )

This is to certify that the images appearing are an  
accurate and complete reproduction of a case file  
document delivered in the regular course of business.  
Technician 5 Date Processed 12-27-06

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. )

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**RETURN OF SERVICE**

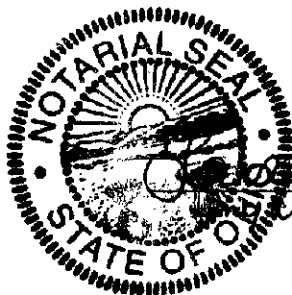
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State of Ohio )  
 ) ss.  
County of ~~Franklin~~ )  
CUYAHOGA

Michael A. DeCenzo, being duly sworn, states that he is over eighteen (18)  
years of age, and that on 12/22/06, at approximately 12:15 pm., he served  
the within subpoena on Duke Energy, by delivering a copy thereof to  
said person at C/T Corp. ILDIKO SARAI.

Michael A. DeCenzo

Subscribed and sworn to before me this the 22<sup>nd</sup> day of December 2006



C. DeCenzo  
Commission Expires: 6/28/11

**COPY**

RECEIVED-DOCKETING  
2006 DEC 18 PM 12:13  
PUCO

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 9<sup>th</sup> 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

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 18<sup>th</sup> day of December, 2006.

BY: Scott E Farkas

TITLE: Attorney Examiner