

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

Ted Strickland  
GOVERNOR



THE PUBLIC UTILITIES COMMISSION OF OHIO  
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TO: Gregory C. Ficke  
6562 Neville Court  
Mason, Ohio 45040

Upon application of Counsel for the Office of the Ohio Consumers' Counsel ("OCC"), Gregory C. Ficke is hereby required to appear for and submit to oral deposition as on cross-examination on February 16, 2007 at the offices of the OCC (10 W. Broad Street, 18th Floor, Columbus, Ohio 43215) at 11:00 a.m. (or other Ohio location as agreed to by the OCC for that date and time), continuing from day to day until completed, 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 10:00 a.m. on said day and at said place to provide to the OCC i) all documents in the possession or control of Mr. Ficke that contain agreements between any and all companies affiliated with Duke Energy Ohio, Inc. (including Duke Energy Retail Sales, "DERS," and all other Duke-affiliated companies) and any and all parties or former parties in any of the above-captioned cases, if the agreements contain provisions regarding the charges known as

RTC, FPP, RSC, AAC, IMF, SRT, and Insufficient Return Notice Fee in Duke Energy

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Ohio, Inc.'s tariffs. (By way of example only, the documents should include any agreements known as Option Agreements between DERS and parties, membership organization parties, individual members of parties' membership organizations, or former parties in the above-captioned cases); ii) all documents in the possession or control of Mr. Ficke containing correspondence related to the agreements referenced in above paragraph (i) involving customers of Duke Energy Ohio, Inc. (or their representatives, including representatives of membership organizations to which the customers belong) and representatives of a Duke-affiliated company; and iii) all documents in the possession or control of Mr. Ficke pertaining to the aforementioned agreements. The period of time covered by the aforementioned materials should begin on December 15, 2003 and continue to the date of the examination.

Dated at Columbus, Ohio, this 8th day of February, 2007.

BY:

Scott Farkes

TITLE:

Attorney Examiner