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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

|                                      |   |                        |
|--------------------------------------|---|------------------------|
| Consolidated Duke Energy Ohio, Inc., | ) | Case Nos. 03-93-EL-ATA |
| Rate Stabilization Plan Remand and   | ) | 03-2079-EL-AAM         |
| Rider Adjustment Cases               | ) | 03-2081-EL-AAM         |
|                                      | ) | 03-2080-EL-ATA         |
|                                      | ) | 05-725-EL-UNC          |
|                                      | ) | 06-1068-EL-UNC         |
|                                      | ) | 06-1069-EL-UNC         |
|                                      | ) | 05-724-EL-UNC          |
|                                      | ) | 06-1085-EL-UNC         |

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**DUKE ENERGY OHIO'S  
NOTICE TO TAKE DEPOSITION OF BETH HIXON,  
WITNESS FOR OHIO CONSUMERS' COUNSEL,  
UPON ORAL EXAMINATION, AND  
REQUEST FOR PRODUCTION OF DOCUMENTS**

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Pursuant to Ohio Admin. Code Rule 4901-1-21(B), please take notice that Duke Energy Ohio will take the oral deposition of Beth Hixon in the above-captioned matters. OCC has indicated that it expects to call Ms. Hixon as a witness in these proceedings.

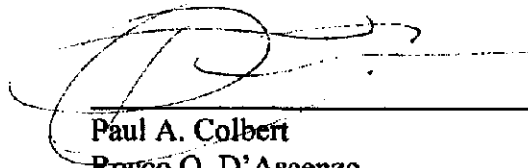
By agreement with counsel for OCC, the depositions will take place, at the Office of Ohio Consumers' Counsel, 10 West Broad Street, Suite 1800, Columbus, Ohio 43215. The deposition will begin at 10:00 a.m. on March 13, 2007. Parties are invited to attend and to cross-examine.

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The deposition of Ms. Hixon will be taken on relevant topics within her areas of expertise, including but not limited to the subject matter of her testimony. The deposition will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions and will continue from day to day, except for holidays and weekends, until completed.

Pursuant to Ohio Admin. Code 4901-1-21(E) and 4901-1-20, the deponent is requested to produce at the time of her deposition all documents relating to her testimony in these proceedings or responses to discovery, including, but not limited to, the results of studies done for these proceedings and any backup documentation, including raw data, for those studies. Deponent is also requested to produce at the time of her deposition any documents, studies or reports performed, produced or reviewed by or for OCC related to consumer preferences regarding competitive retail electric service and/or electric service reliability.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing pleading was served on the following either electronically or by first class U.S. mail, postage prepaid, upon the following parties listed, this ~~9th~~ day of March, 2007.



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