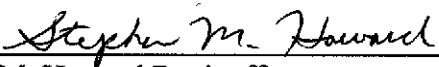


Respectfully submitted,



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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)	03-2080-EL-ATA
Procedures for Capital Investment in its)	03-2081-EL-AAM
Electric Transmission And Distribution)	05-724-EL-UNC
System And to Establish a Capital)	05-725-EL-UNC
Investment Reliability Rider to be)	06-1068-EI-UNC
Effective After the Market Development)	06-1069-EL-UNC
Period)	06-1085-EL-UNC

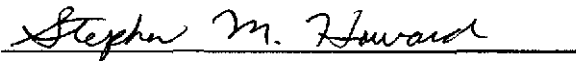
MEMORANDUM IN SUPPORT

The OMG requests a subpoena, pursuant to Rule 4901-1-25 of the Ohio Administrative Code to command Charles Whitlock to appear and provide oral testimony as on cross-examination on March 22, 2007 at 1:30 p.m. and attend the hearing from day-to-day until called to testify by the OMG at the Commission offices (180 E. Broad Street, 11th Floor, Columbus, Ohio 43215) in the above-captioned proceedings.

The above-captioned cases all involve Duke Energy Ohio, Inc.'s standard service charges. Through discovery, the OMG has received information from Duke Energy Retail Sales, LLC ("DERS") that Charles Whitlock is a DERS official or employee who would be capable of answering questions concerning DERS' and CRES' activities in Ohio in general and the contracts produced to OMG on February 21, 2007. If this information is not otherwise stipulated, it will be necessary to call Mr. Whitlock as on cross in order to place certain information into the record.

Mr. Whitlock's full participation in the examination will facilitate a full and complete development of the cases before the Commission including the ultimate record upon which the Commission will base its decision.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Subpoena was served either by email or regular U.S. mail, postage prepaid, this 12th day of March, 2007



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

THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA

TO: Charles Whitlock
Duke Energy Retail Sales, LLC
139 E. Fourth Street
EA 502
Cincinnati, Ohio 45202

Upon application of The Ohio Marketers Group, Charles Whitlock is hereby required to appear on March 22, 2007 at 1:30 p.m. at the offices of the Public Utilities Commission of Ohio (180 E. Broad Street, 11th floor, Columbus, Ohio 43215), and attend the hearing from day-to-day until called by OMG to testify. The witness shall submit oral testimony upon cross-examination by the OMG.

Dated at Columbus, Ohio, this 12th day of March, 2007.

BY: Scott Parkes
TITLE: Attorney Examiner