

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2010 Through 2012 and Associated Cost Recovery Mechanisms.	)	Case Nos. 09-1947-EL-POR
	)	09-1948-EL-POR
	)	09-1949-EL-POR
	)	
	)	
	)	
	)	
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Initial Benchmark Reports.	)	Case Nos. 09-1942-EL-EEC
	)	09-1943-EL-EEC
	)	09-1944-EL-EEC
	)	
	)	
In the Matter of the Energy Efficiency and Peak Demand Reduction Program Portfolio of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.	)	Case Nos. 09-580-EL-EEC
	)	09-581-EL-EEC
	)	09-582-EL-EEC
	)	

---

**REVISED NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION  
AND  
REQUEST FOR PRODUCTION OF DOCUMENTS  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

---

Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Office of the Ohio Consumers' Counsel ("OCC") will take the oral deposition of all individuals for whom testimony is filed or who have knowledge and expertise with the subject matter of these proceedings on behalf of the Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company ("FirstEnergy" or "Companies"). Depositions will be as follows:

- 1) John E. Paganie, Vice President – Customer Service and Energy Efficiency, FirstEnergy Corporation, 76 South Main Street, Akron, Ohio, 44308.
- 2) Katherine M. Kettlewell, Director – Retail Load Forecasting and RTO Settlements, FirstEnergy Corporation, 76 South Main Street, Akron, Ohio, 44308.
- 3) Steven E. Ouellette, Director – Ohio Rates and Regulatory Affairs, FirstEnergy Corporation, 76 South Main Street, Akron, Ohio, 44308.
- 4) George L. Fitzpatrick, Managing Director – Enterprise Management Solutions, Black & Veatch Corporation, 898 Veterans Memorial Highway, Suite 430, Hauppauge, NY, 11788.
- 5) Joseph T. Trainor, Senior Consultant - Enterprise Management Solutions, Black & Veatch Corporation, 898 Veterans Memorial Highway, Suite 430, Hauppauge, NY, 11788.

The depositions will take place at the offices of FirstEnergy, 76 South Main Street Akron, Ohio, and will begin at 1:00 p.m. on Tuesday, February 9, 2010, beginning with the deposition of John E. Paganie in conference room 18a. The depositions on February 10 and 11 will take place on Lower Level B. The deposition of Steven E. Ouellette will begin at 9:00 a.m. on Wednesday, February 10, 2010. The deposition of Katherine M. Kettlewell will begin at 1:30 p.m. on Wednesday, February 10, 2010, or immediately following the completion of Mr. Ouellette's deposition. The deposition of George L. Fitzpatrick will begin at 9:00 a.m. on Thursday, February 11, 2010. The deposition of Joseph T. Trainor will begin at 1:30 p.m. on Thursday, February 11, 2010, or immediately following the completion of Mr. Fitzpatrick's deposition. Deponents will appear at designated times with documents at FirstEnergy and remain present until deposed. Parties are invited to attend and cross-examine. Parties wishing to call-in may do so using the number 877-332-6631. The pass code number is 404045#.

The depositions will be taken of the aforementioned deponents on relevant topics within the scope of these proceedings, including but not limited to, the subject matter of each deponent's testimony or the deponent's knowledge and expertise with the subject matter of this proceeding. Each 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 Adm. Code Rules 4901-1-21(E) and 4901-1-20, each deponent is requested to produce at the time of his or her deposition all documents relating to his or her testimony, supporting documentation and documentation relating to the deponent's knowledge and expertise with the subject matter of these proceedings; and the deponent's responses to any discovery, including, but not limited to, the results of any studies done for these proceedings and any backup documentation, including raw data, for those studies.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER  
CONSUMERS' COUNSEL

/s/ Christopher J. Allwein  
Jeffrey L. Small, Counsel of Record  
Gregory J. Poulos  
Christopher J. Allwein  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485  
614-466-8574 (Telephone)  
[small@occ.state.oh.us](mailto:small@occ.state.oh.us)  
[poulos@occ.state.oh.us](mailto:poulos@occ.state.oh.us)  
[allwein@occ.state.oh.us](mailto:allwein@occ.state.oh.us)

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the OCC's Revised Notice to Take Depositions and Request for Production of Documents was served on the persons stated below via electronic transmission pursuant to the Commission's January 14, 2010 Entry this 1<sup>st</sup> day of February 2010.

/s/ Christopher J. Allwein  
\_\_\_\_\_  
Christopher J. Allwein  
Assistant Consumers' Counsel

### SERVICE

[mkl@bbrslaw.com](mailto:mkl@bbrslaw.com)  
[gas@bbrslaw.com](mailto:gas@bbrslaw.com)  
[mwarnock@bricker.com](mailto:mwarnock@bricker.com)  
[gkrassen@bricker.com](mailto:gkrassen@bricker.com)  
[will@theOEC.org](mailto:will@theOEC.org)  
[nolan@theOEC.org](mailto:nolan@theOEC.org)  
[jroberts@enernoc.com](mailto:jroberts@enernoc.com)  
[mheintz@elpc.org](mailto:mheintz@elpc.org)  
[tobrien@bricker.com](mailto:tobrien@bricker.com)  
[ricks@ohanet.org](mailto:ricks@ohanet.org)  
[kjkolich@firstenergycorp.com](mailto:kjkolich@firstenergycorp.com)  
[korkosza@firstenergycorp.com](mailto:korkosza@firstenergycorp.com)  
[elmiller@firstenergycorp.com](mailto:elmiller@firstenergycorp.com)  
[jlang@calfee.com](mailto:jlang@calfee.com)  
[lmcbride@calfee.com](mailto:lmcbride@calfee.com)

[talexander@calfee.com](mailto:talexander@calfee.com)  
[sam@mwncmh.com](mailto:sam@mwncmh.com)  
[lmcalister@mwncmh.com](mailto:lmcalister@mwncmh.com)  
[jclark@mwncmh.com](mailto:jclark@mwncmh.com)  
[cmooney2@columbus.rr.com](mailto:cmooney2@columbus.rr.com)  
[drinebolt@ohiopartners.org](mailto:drinebolt@ohiopartners.org)  
[JPmeissn@lasclev.org](mailto:JPmeissn@lasclev.org)  
[mvincel@lasclev.org](mailto:mvincel@lasclev.org)  
[cmiller@szd.com](mailto:cmiller@szd.com)  
[aporter@szd.com](mailto:aporter@szd.com)  
[gdunn@szd.com](mailto:gdunn@szd.com)  
[henryeckhart@aol.com](mailto:henryeckhart@aol.com)  
[dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[robinson@citizenpower.com](mailto:robinson@citizenpower.com)  
[duane.luckey@puc.state.oh.us](mailto:duane.luckey@puc.state.oh.us)  
[Thomas.lindgren@puc.state.oh.us](mailto:Thomas.lindgren@puc.state.oh.us)

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**2/1/2010 4:58:50 PM**

**in**

**Case No(s). 09-0580-EL-EEC, 09-0581-EL-EEC, 09-0582-EL-EEC, 09-1942-EL-EEC, 09-1943-EL-EEC,**

Summary: Notice of Deposition Revised Notice to Take Deposition Upon Oral Examination and Request for Production of Documents by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Allwein, Christopher J. Mr.