

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The)
Dayton Power and Light Company for)
Approval of a Unique Arrangement with) Case No. 10-734-EL-AEC
Caterpillar Inc.)

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**NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF
DAYTON POWER AND LIGHT COMPANY WITNESSES
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Ohio Consumers' Counsel ("OCC") will take the deposition upon oral examination of the following individuals:

- a. Mr. Robert Stallman; Dayton Power and Light Company ("DP&L" or "Company") Senior Customer Group Manager, Service Operations, Dayton, Ohio;
- b. Irda Hinders, DP&L, Rate Analyst, Regulatory Operations, Dayton, Ohio;
and
- c. Representatives for DP&L that are familiar with the benefits received by DP&L and offered to Caterpillar Inc. as a result of the proposed unique arrangement; (See OCC's First and Fourth Set of Interrogatories).

The depositions will take place at the offices of OCC, 10 West Broad Street, 18th Floor, Columbus, Ohio, and will begin at 10:00 a.m. on Thursday, September 16, 2010, or such other place and time as are mutually agreed upon by DP&L and OCC.

Deponents will appear on the designated date and time with documents at OCC and

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remain present until the deposition is completed. Parties to the proceeding are invited to attend and cross-examine.

The depositions will be taken of the aforementioned deponents on relevant topics within their expertise as it pertains to the scope of this proceeding. The depositions 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, the deponents are requested to produce two hours prior to his/her deposition all documents relating to his/her responsibilities and input with respect to the filed Application (in the docket of the case captioned above,) and responses to discovery that were authored by the deponent or were provided to OCC with input from the deponent. Additionally, the deponent shall bring documents, including, but not limited to, the results of any studies done for this proceeding and any backup documents, including raw data for such studies.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the OCC's Notice to Take Deposition and Request for Production of Documents was served on the persons stated below via regular U.S. Mail Service, postage prepaid, this 9th day of September 2010.



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