

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio       )  
American Water Company to Increase Its       ) Case No. 11-4161-WS-AIR  
Rates for Water Service and Sewer            )  
Service.    )

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**NOTICE TO TAKE DEPOSITIONS  
AND REQUEST FOR PRODUCTION OF DOCUMENTS  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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

- (1) All persons who will be called by Ohio American Water ("OAW") to present testimony, including direct, rebuttal, surrebuttal, and any other form of testimony filed in this proceeding; and
- (2) The person(s) responsible for answering OCC's interrogatories served in this proceeding upon OAW and for answering PUCO Staff data requests and other inquiries from the PUCO regarding this proceeding.

OCC seeks to conduct these depositions upon oral examination at the offices of the OCC, 10 W. Broad St., 18<sup>th</sup> Floor, Columbus, Ohio, at 10:00 a.m. beginning on Tuesday, March 13, 2012, or such other time that is mutually agreed upon by the Parties. The depositions will continue, one-after-the-other, from day to day, except for holidays and weekends, until completed. Each deponent will appear at the OCC at the designated time and date with all requested documents (identified below) and remain present until deposed. (Counsel for OAW may contact OCC counsel to discuss the arrangements.)

The depositions will be taken of the aforementioned deponents on relevant topics within the scope of this proceeding, including but not limited to, the subject matter of the deponents' testimony and the deponents' knowledge and expertise with the subject matter of this proceeding. These depositions will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions.

Pursuant to Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20, the deponent is requested to produce, two hours prior to the taking of his/her deposition the following documents<sup>1</sup>:

1. All documents relating to his or her filed testimony in this proceeding;
2. Documents containing all responses to OCC and other parties' discovery including responses to PUCO Staff data requests and all supporting documentation and/or data; and
3. Documents that OAW provided to the PUCO regarding this case (except for documents filed at the PUCO) and documents that OAW received from the PUCO regarding this case;
4. Documents containing any and all studies (including the results of such studies) performed in connection with this case and all supporting documentation and/or data for those studies.

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<sup>1</sup> The term "document" includes "writings, drawings, graphs, charts, photographs, or data compilations, which are in the possession, custody, or control of the party upon whom the request is served." Ohio Adm. Code 4901-1-20(A)(1).

Respectfully submitted,

BRUCE J. WESTON  
INTERIM CONSUMERS' COUNSEL

/s/ *Melissa R. Yost*

Melissa R. Yost, Counsel of Record

Kyle L. Kern

Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

614-466-1291 Yost (Telephone)

614-466-9585 Kern (Telephone)

[yost@occ.state.oh.us](mailto:yost@occ.state.oh.us)

[kern@occ.state.oh.us](mailto:kern@occ.state.oh.us)

## **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 14th day of February 2012.

/s/ *Melissa R. Yost*

Melissa R. Yost

Assistant Consumers' Counsel

## **SERVICE**

Mark A. Whitt  
Melissa L. Thompson  
Whitt Sturtevant LLP  
PNC Plaza, 20<sup>th</sup> Fl.  
155 E. Broad St.  
Columbus, OH 43215  
[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)  
[thompson@whitt-sturtevant.com](mailto:thompson@whitt-sturtevant.com)

Thomas Lindgren  
Devin Parram  
Public Utilities Commission of Ohio  
180 E. Broad St., 6<sup>th</sup> Fl.  
Columbus, OH 43215  
[Thomas.lindgren@puc.state.oh.us](mailto:Thomas.lindgren@puc.state.oh.us)  
[Devin.parram@puc.state.oh.us](mailto:Devin.parram@puc.state.oh.us)

Albert D. Sturtevant  
Carpenter Lipps & Leland LLP  
22 W. Washington St., Ste. 1500  
Chicago, IL 60602  
[sturtevant@carpenterlipps.com](mailto:sturtevant@carpenterlipps.com)

Mark D. Russell  
Law Director -City of Marion. Ohio  
233 W. Center St  
Marion, OH 43302  
[law@marionohio.org](mailto:law@marionohio.org)

Attorney for the City of Marion, Ohio

Peter N. Griggs  
Loveland & Brosius, LLC  
50 West Broad Street, Suite 3300  
Columbus, OH 43215-5917  
[pgriggs@lblaw.net](mailto:pgriggs@lblaw.net)

Attorney for Perry and Prairie Townships

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

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**Case No(s). 11-4161-WS-AIR**

Summary: Notice of Deposition Notice to Take Depositions and Request for Production of Documents by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Yost, Melissa R. Ms.