

In the Matter of the Application of The )  
Dayton Power and Light Company to ) Case No. 11-5730-EL-FAC  
Revise its Fuel Adjustment Clause. )

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

1. Greg Campbell  
Director, Accounting Policy and External Reporting  
1065 Woodman Drive  
Dayton, Ohio 45432
2. All witnesses that The Dayton Power and Light Company (“DP&L” or the “Company”) intends to call to present testimony on DP&L’s behalf in this case, including direct, supplemental, and/or rebuttal testimony.
3. A person or persons with knowledge and expertise with respect to the fuel optimization efforts of the Company.
4. A person or persons with knowledge and expertise with respect to coal purchases and optimizations made as they pertain to Dayton Power and Light Energy Resource (“DPLER”).
5. A person or persons with knowledge and expertise of all issues related to the Auditor’s recommendations regarding fuel optimizations contained in the Report of the Management/ Performance and Financial Audit of the Fuel and Purchased Power Rider of the Dayton Power and Light Company filed in Case No. 09-1012-EL-FAC (2010 Audit Report), and the Report of the Management/Performance and Financial Audit of the Fuel and Purchased Power Rider of the Dayton Power and Light Company filed in Case No. 11-5730-EL-FAC (2011 Audit Report).
6. A person or persons with knowledge and expertise with respect to the Company’s application in PUCO Case No. 09-1012-EL-FAC.

The depositions will take place beginning on October 9, 2012, one after the other, following the Prehearing Conference currently scheduled for this proceeding, and will continue until completed, at the offices of the Ohio Consumers' Counsel, 10 W. Broad St., 18<sup>th</sup> Floor, Columbus, Ohio 43215, or as otherwise agreed to. 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 2010 and 2011 Management/Performance and Financial Audits of the Fuel and Purchased Power Rider of DP&L conducted in Case Nos. 09-1012-EL-FAC and 11-5730-EL-FAC, respectively.

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 the following documents<sup>1</sup> two hours prior to his/her deposition: all documents relating to his/her responsibilities with respect to Case Nos. 09-1012-EL-FAC and 11-5730-EL-FAC; DP&L's responses to discovery that were authored by the deponent or were provided to OCC with input from the deponent; and all documents containing communications between DP&L and the PUCO-authorized auditors relating to Case Nos. 09-1012-EL-FAC and 11-5730-EL-FAC, for the time period of January 1, 2010, through December 21, 2011. Communication means any transmission of information by oral, graphic, written, pictorial, or otherwise perceptible means, including, but not limited to, telephone conversations, letters, telegrams, and personal conversations. A request seeking the identity of a communication

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<sup>1</sup> The definition of "documents" is as defined in OCC's written discovery sets.

addressing, relating or referring to, or discussing a specified matter encompasses documents having factual, contextual, or logical nexus to the matter, as well as communications in which explicit or implicit reference is made to the matter in the course of the communication.

Additionally, the deponent shall bring documents, including, but not limited to, the results of any studies done for these proceedings and any backup documents, including raw data for such studies, any documents relied upon or cited in the pre-filed testimony, and any workpapers that support the pre-filed testimony. And the deponents shall provide all documents containing or showing the financial impact on DP&L and on DP&L's customers, respectively, with regard to fuel optimizations for January 1, 2010 through December 31, 2011.

Respectfully submitted,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL

/s/ Kyle L. Kern

Kyle L. Kern, Counsel of Record  
Maureen R. Grady  
Assistant Consumers' Counsel

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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice to Take Depositions was served via electronic service upon the parties this 1st day of October, 2012.

/s/ Kyle L. Kern

Kyle L. Kern

Assistant Consumers' Counsel

### **SERVICE LIST**

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**Case No(s). 11-5730-EL-FAC**

Summary: Notice of Deposition Notice to Take Depositions 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 Kern, Kyle L.