

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Regulation of the)
Purchased Gas Adjustment Clauses) Case No. 12-209-GA-GCR
Contained Within the Rate Schedules of)
Northeast Ohio Natural Gas Corporation.)

In the Matter of the Regulation of the) Case No. 12-212-GA-GCR
Purchased Gas Adjustment Clauses)
Contained Within the Rate Schedules of)
Orwell Natural Gas Company.)

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**MOTION FOR
SUBPOENA FOR STEPHANIE PATTON
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Now comes the Office of the Ohio Consumers' Counsel ("OCC") and, pursuant to Ohio Adm. Code 4901-1-25, hereby respectfully moves the Public Utilities Commission of Ohio ("Commission" or "PUCO"), any commissioner, the legal director, the deputy legal director, or an attorney examiner to issue a subpoena compelling Ms. Stephanie Patton, Chief Administrative Officer of Northeast Ohio Natural Gas Corporation ("Northeast") to appear at hearing and provide oral testimony through cross-examination on July 8, 2013 at 10:00 a.m., and attend from day to day until called to testify by the OCC at the Commission offices, 180 E. Broad Street, 11th Floor, Columbus, Ohio 43215. The above-captioned case involves a financial audit of Northeast's gas cost recovery ("GCR") charges to determine whether the charges were reasonable and prudent and whether customers have paid too much. Ms. Patton should appear at the evidentiary hearing to provide testimony concerning her knowledge of affiliate and/or related party

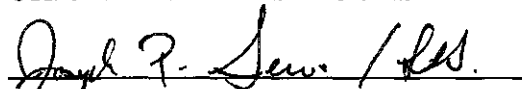
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contract activities, as, Chief Administrative Officer of Northeast Ohio Natural Gas Corporation ("Northeast"). Such activities are the subject of the Commission Staff's financial audit¹ and pre-filed direct testimony in this case.²

Grounds for this Motion are set forth in the accompanying Memorandum in Support.

Respectfully submitted,

BRUCE J. WESTON
OHIO CONSUMERS' COUNSEL

A handwritten signature in black ink, appearing to read "Joseph P. Serio / J.P.S.", written over a horizontal line.

Joseph P. Serio, Counsel of Record
Assistant Consumers' Counsel

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¹ See Northeast and Orwell Financial Audit at 4-8(February 28, 2013).

² See Direct Testimony of Gregory Slone (July 1, 2013).

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Contained Within the Rate Schedules of)
Orwell Natural Gas Company.)

MEMORANDUM IN SUPPORT

The OCC requests a subpoena, pursuant to Ohio Adm. Code 4901-1-25, to command Ms. Stephanie Patton, Chief Administrative Officer of Northeast Ohio Natural Gas Corporation (“Northeast”) to appear at hearing and provide oral testimony through cross-examination on July 8, 2013 at 10:00 a.m., and attend from day to day until called to testify by the OCC at the Commission offices, 180 E. Broad Street, 11th Floor, Columbus, Ohio 43215 in the above-captioned proceeding.

The above-captioned case involves a financial audit of the GCR rates charged by Orwell and Northeast to their residential GCR customers to determine whether the GCR rate during the audit periods were prudent, or whether customers were charged more than the appropriate rates for natural gas. As part of the Commission Staff’s audit, an actual adjustment was recommended by recalculating invoices based upon the rejection of affiliate/related party contracts.³

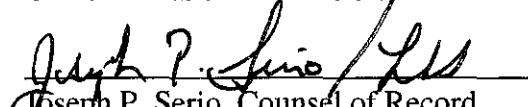
³ See Staff Report of Investigation at 6 (February 28, 2013).

To the extent that Ms. Patton is the Chief Administrative Officer of one of these utilities involved with the contracts in question. She should be required to attend the hearing and respond to questions pertaining to the subject matter of the content of the contracts, as well as how the contracts were negotiated and enforced.

Therefore, Ms. Patton'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,

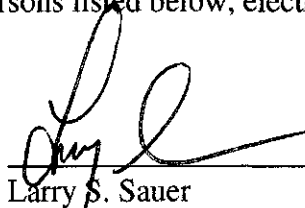
BRUCE J. WESTON
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Joseph P. Serio, Counsel of Record
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the *Motion for Subpoena by the Office of the Ohio Consumers' Counsel* was provided to the persons listed below, electronically, this 3rd day of July, 2013.



Larry S. Sauer
Assistant Consumers' Counsel

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180 EAST BROAD STREET
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**John Kasich
GOVERNOR**



**THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA**

TO: Ms. Stephanie Patton
Mark Yurick
Counsel for Orwell Natural Gas Company and
Northeast Ohio Natural Gas Corporation
Taft, Stettinius & Holister
65 East State Street, Suite 1000
Columbus, Ohio 43215

Upon application of Counsel for the Office of the Ohio Consumers' Counsel ("OCC"), Ms. Stephanie Patton is hereby required to appear at hearing and provide oral testimony as under cross-examination on Monday, July 8, 2013 at 10:00 a.m., and attend from day to day until called to testify by the OCC at the Commission offices, 180 E. Broad Street, 11th Floor, Columbus, Ohio 43215. The witness shall submit oral testimony concerning her understanding of the various natural gas purchase agreements between Northeast Ohio Natural Gas Corporation ("Northeast"), Orwell Natural Gas Company ("Orwell") and their suppliers, including the John D. Oil and Gas Marketing Co. LLC ("JDOG"), including but not limited to, the processing fee invoices associated with local production processed on the Cobra Intrastate Pipeline system, her understanding of the corporate organization structure, and her understanding of the coordination of firm contracts for storage and transportation.

Ms. Patton's full participation in the examination will facilitate a full and complete development of the case before the Commission, including the ultimate record upon which the Commission will base its decision.

Dated at Columbus, Ohio, this 3rd day of July, 2013.

BY: Scott Paulson

TITLE: Attorney Examiner