

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Regulations of the )  
Purchased Gas Adjustment Clauses Contained ) Case No. 14-206-GA-GCR  
Within the Rate Schedules of Brainard Gas )  
Corporation and Related Matters. )

In the Matter of the Regulations of the )  
Purchased Gas Adjustment Clauses Contained ) Case No. 14-209-GA-GCR  
Within the Rate Schedules of Northeast Natural )  
Gas Corporation and Related Matters. )

In the Matter of the Regulation of the Purchased )  
Gas Adjustment Clauses Contained Within the ) Case No. 14-212-GA-GCR  
Rate Schedules of Orwell Natural Gas )  
Company and Related Matters. )

---

**NOTICE TO TAKE DEPOSITIONS  
AND REQUESTS 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: 1) for whom testimony is filed or will be filed in the above-captioned matters, 2) whom have knowledge and expertise with the subject matter of these proceedings, 3) whom have knowledge regarding the transportation agreement between Orwell and Orwell-Trumbull Pipeline that is dated July 1, 2008 and is identified as Exhibit A in the Complaint that Orwell filed against Orwell-Trumbull in PUCO Case No. 15-0637-GA-COI on March 31, 2015, 4) whom have knowledge about the taps or interconnections that Orwell had with Dominion East Ohio Gas Company d/b/a East

Ohio Gas Company (“Dominion”), and 5) whom have knowledge regarding interstate, intrastate, and local purchases, both volumes and price in the Ohio market on behalf of Brainard Gas Corporation (“Brainard”), Northeast Natural Gas Corporation (“Northeast”) and Orwell Natural Gas Company (“Orwell”) (collectively “the Utilities”) including, but not limited to, the following individuals:

1. Marty Whelan;
2. Mike Zapitello;
3. All persons who will be called by the Utilities to present testimony, including direct, rebuttal, surrebuttal, and any other form of testimony filed, or to be filed in these proceedings;
4. All persons responsible for answering OCC’s interrogatories and/or responding to requests for production of documents (including responses that state that no documents are responsive to a request to produce) served in these proceedings upon the Company;
5. All persons who whom have knowledge regarding the transportation agreement between Orwell and Orwell-Trumbull Pipeline that is dated July 1, 2008 and is identified as Exhibit A in the Complaint that Orwell filed against Orwell-Trumbull in PUCO Case No. 15-0637-GA-COI on March 31, 2015;
6. All persons who have knowledge about the taps or interconnections that Orwell had with Dominion East Ohio Gas Company d/b/a East Ohio Gas Company (“Dominion”); and
7. All persons who have knowledge regarding interstate, intrastate, and local purchases, both volumes and price in the Ohio market.

OCC seeks to conduct the deposition of Mike Zapitello upon oral examination at OCC’s offices, 10 W. Broad St., 18<sup>th</sup> Floor, Columbus, Ohio, at 9:00 a.m. beginning on Thursday May 7, 2015, or such other time or place that is mutually agreed upon by the Parties. The deposition of Marty Whelan shall follow immediately upon completion of Mr. Zapitello’s deposition, or at 2:00 p.m. on Thursday May 7, 2015 at OCC’s offices, 10 W. Broad St., 18<sup>th</sup> Floor, Columbus, Ohio, or such other time or place that is mutually

agreed upon by the Parties. The deposition of any other witnesses shall begin upon the completion of the deposition of Mr. Whelan, or at 9:00 a.m. on Friday May 8, 2015.

These depositions will continue, 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.

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 the deponent's testimony and the deponent's knowledge and expertise with the subject matter of these proceedings. The 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, each deponent is requested to produce, two hours prior to his/her deposition, all documents relating to his/her responsibilities with respect to Case Nos. 14-206-GA-GCR, 14-209-GA-GCR and 14-212-GA-GCR 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 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.

Respectfully submitted,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL

*/s/ Joseph P. Serio*

---

Joseph P. Serio (Reg. No. 0036959)  
Counsel of Record  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

Telephone Serio: (614) 466-9565

[joseph.serio@occ.ohio.gov](mailto:joseph.serio@occ.ohio.gov)

(will accept service via email)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice to Take Depositions and Requests for Production of Documents was served via electronic service upon the parties this 1<sup>st</sup> day of May 2015.

*/s/ Joseph P. Serio* \_\_\_\_\_  
Joseph P. Serio  
Assistant Consumers' Counsel

**SERVICE LIST**

Werner Margard  
Attorney General's Office  
Public Utilities Section  
180 East Broad Street, 6<sup>th</sup> Floor  
Columbus, Ohio 43215  
[Werner.margard@puc.state.oh.us](mailto:Werner.margard@puc.state.oh.us)

Mark S. Yurick  
Taft Stettinius & Hollister LLP  
65 East State St., Suite 1000  
Columbus, Ohio 43215  
[myurick@taftlaw.com](mailto:myurick@taftlaw.com)

Attorney Examiner:

[Scott.farkas@puc.state.oh.us](mailto:Scott.farkas@puc.state.oh.us)

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

**Commission of Ohio Docketing Information System on**

**5/1/2015 3:10:50 PM**

**in**

**Case No(s). 14-0206-GA-GCR, 14-0209-GA-GCR, 14-0212-GA-GCR**

Summary: Notice of Deposition Notice to Take Depositions and Requests for Production of Documents by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Serio, Joseph P. Mr.