

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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|--|---|-------------------------|
| In the Matter of the Application of Ohio |) | |
| Edison Company, The Cleveland Electric |) | Case No. 14-1297-EL-SSO |
| Illuminating Company and The Toledo |) | |
| Edison Company for Authority to Provide |) | |
| for a Standard Service Offer Pursuant |) | |
| R.C. 4928.143 in the Form of an Electric |) | |
| Security Plan. |) | |

**NOTICE TO TAKE DEPOSITION
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
BY
ENVIRONMENTAL DEFENSE FUND, ENVIRONMENTAL LAW AND POLICY
CENTER, THE OFFICE OF THE OHIO CONSUMERS' COUNSEL, OHIO
ENVIRONMENTAL COUNCIL, THE OHIO MANUFACTURERS'
ASSOCIATION ENERGY GROUP, PJM POWER PROVIDERS GROUP, AND
THE SIERRA CLUB**

Under Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Intervenor listed above will take the deposition of Eileen M. Mikkelsen on Friday, July 8, 2016, commencing at 9:00 a.m. and continuing day by day, until Intervenor has all had the opportunity to cross examine Ms. Mikkelsen.

The deposition of Ms. Mikkelsen upon oral examination will take place at OCC's office, 10 W. Broad St., 18th Floor, Columbus, Ohio, at 9:00 a.m. beginning on Friday, July 8, 2016. This deposition will continue, from day to day, except for holidays and weekends, until examination by all Intervenor is completed. Ms. Mikkelsen will appear at OCC's office at the designated time and date with all requested documents (identified below) and remain present until deposed.

The deposition will be taken of the aforementioned deponent on relevant topics within the scope of these proceedings, including but not limited to, the following:

- Alternatives to the Modified Rider RRS proposal, including Staff's alternative proposal for a new Distribution Modernization Rider (as described in the Rehearing Testimony of Staff Witness Choueiki, Turkenton, and Buckley);
- The Companies' responses to PUCO Data Request Nos. 34 and 35.¹

The deposition will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions.

Under Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20, Ms. Mikkelsen is requested to produce two hours prior to her deposition the following documents:

1) copies of any formal or informal data requests from Commission Staff to the Companies since March 31, 2016;

2) copies of any responses by the Companies to formal or informal data requests from Commission Staff since March 31, 2016.

Respectfully submitted,

/s/ Shannon Fisk

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¹ Ms. Mikkelsen was previously deposed in this proceeding regarding other relevant rehearing topics on June 29, 2016. The Rehearing Testimony of Joseph Buckley, which was filed and served after 5 p.m. on June 29, 2016, establishes that the Companies provided response to PUCO DRs 34 and 35 at some point prior to or on June 29, 2016. *See* Buckley Rehearing Testimony at page 6, line 4 (referencing FirstEnergy's "response to Staff DR. #35"). These discovery responses, however, were not served on other parties until July 1, 2016 – the discovery cut-off date – and then only after counsel for OCC and OMAEG specifically requested that the Companies do so.

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**Counsel for Ohio Environmental Council
and Environmental Defense Fund**

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Notice to Take Deposition and Requests for Production of Documents has been served upon the following parties via electronic mail on July 1, 2016:

/s/ Shannon Fisk

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/1/2016 4:29:46 PM

in

Case No(s). 14-1297-EL-SSO

Summary: Notice of Deposition Notice to Take Deposition and Requests For Production of Documents by Environmental Defense Fund, Environmental Law and Policy Center, the Office of the Ohio Consumers' Counsel, Ohio Environmental Council, the Ohio Manufacturers' Association Energy Group, PJM Power Providers Group, and the Sierra Club electronically filed by Mr. Tony G. Mendoza on behalf of Sierra Club