#### **BEFORE**

#### THE PUBLIC UTILITIES COMMISSION OF OHIO

)
) Case No. 17-1263-EL-SSO
) Case No. 17-1203-EL-530
j
)
)
) Case No. 17-1264-EL-ATA
)
)
)
) Case No. 17-1265-EL-AAM
)

## NOTICE OF DUKE ENERGY OHIO TO TAKE DEPOSITION DUCES TECUM OF PEOPLE WORKING COOPERATIVELY, INC.

Pursuant to Ohio Admin. Code Rule 4901-1-21(B), please take notice that Duke Energy Ohio, Inc., (Duke Energy) will take the oral deposition of all witnesses that the People Working Cooperatively, Inc. (PWC) intends to rely upon at hearing and any persons on whom PWC relied upon in forming its opinion in the above captioned matter, on November 2, 2017, beginning at 3:00 PM and continuing day-to-day thereafter until complete.

The depositions will take place at Duke Energy Ohio's offices located at 139 East Fourth Street, Cincinnati, Ohio 45202. The depositions will be taken upon oral

examination (as if on cross-examination) before an officer authorized by law to take depositions.

Pursuant to Ohio Admin. Code 4901-1-21(E) and 4901-1-20, all witnesses are requested to produce at the time of their deposition true and accurate copies of the documents identified in Exhibit A.

Parties are invited to attend and to cross-examine.

Respectfully submitted,

Any B. Spiller (00472777) Deputy General Counsel

Rocco O. D'Ascenzo (0077651)

**Associate General Counsel** 

Jeanne W. Kingery (0012172)

Associate General Counsel

Elizabeth H. Watts (0031092)

Associate General Counsel

DUKE ENERGY OHIO, INC. 139 East Fourth Street ML 1303 Main Cincinnati, Ohio 45202

#### **EXHIBIT A**

Duke Energy Ohio hereby requests that, at the time and place set forth above in the notice of deposition, *duces tecum*, each deponent produce true and accurate copies of the following documents:

- 1. Any and all documents that were reviewed by said deponent for purposes of preparing direct testimony relative to the above-captioned proceeding.
- 2. Any and all documents created or authored by said deponent for purposes of preparing direct testimony relative to the above-captioned proceeding.
- 3. Any and all documents referenced in the witness's direct testimony relative to the above-captioned proceeding.
- 4. Any and all documents reviewed by said deponent in preparing, or otherwise assisting in the preparation of, discovery responses submitted by PWC relative to the above-captioned proceeding
- 5. Any and all documents prepared by said deponent for purposes of preparing, or otherwise assisting in the preparation of, discovery responses submitted by PWC relative to the above-captioned proceeding.

### **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic service, this day of day of 2017.

Jeanne W. Kingery

William Wright
Attorney General's Office
Public Utilities Section
30 East Broad St., 16<sup>th</sup> Floor
Columbus, Ohio 43215
William.wright@ohioattorneygeneral.gov

Michael L. Kurtz
Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
mkurtz@BKLlawfirm.com
jkylercohn@BKLlawfirm.com

### **Counsel for Staff of the Commission**

Frank P. Darr
Matthew R. Pritchard
McNees Wallace & Nurick LLC
21 East State Street, 17<sup>th</sup> Floor
Columbus, Ohio 43215
fdarr@mwncmh.com
mpritchard@mwncmh.com

### **Counsel for Ohio Energy Group**

William J. Michael (Counsel of Record)
Kevin Moore
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
William.michael@occ.ohio.gov
Kevin.moore@occ.ohio.gov

# **Counsel for Industrial Energy Users- Ohio**

Kimberly W. Bojko (Counsel of Record)
James D. Perko, Jr.
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
Bojko@carpenterlipps.com
Perko@carpenterlipps.com

## Counsel for the Ohio Consumers' Counsel

Colleen Mooney
Ohio Partners for Affordable Energy
1431 Mulford Road
Columbus, Ohio 43212
cmooney@ohiopartners.org

### Counsel for the OMAEG

Counsel for Ohio Partners for Affordable Energy Madeline Fleisher
Environmental Law & Policy Center
21 W. Broad St., 8<sup>th</sup> Floor
Columbus, Ohio 43215
mfleisher@elpc.org

# Counsel for the Environmental Law & Policy Center

Carrie M. Harris Spilman Thomas & Battle, PLLC 110 Oakwood Drive, Suite 500 Winston-Salem, North Carolina 27103 charris@spilmanlaw.com

Derrick Price Williamson Spilman Thomas & Battle, PLLC 1100 Bent Creek Blvd., Suite 101 Mechanicsburg, PA 17050 dwilliamson@spilmanlaw.com

Lara R. Brandfass
Spilman Thomas & Battle, PLLC
300 Kanawha Boulevard, East
P.O. Box 273
Charleston, WV 25321-0273
<a href="mailto:lbrandfass@spilmanlaw.com">lbrandfass@spilmanlaw.com</a>

# Counsel for Wal-Mart Stores East, LP and Sam's East, Inc.

Elyse Akhbari
Counsel of Record
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215
eakhbari@bricker.com

Counsel for People Working Cooperatively, Inc.

Angela Paul Whitfield Carpenter Lipps & Leland LLP 280 North High Street, Suite 1300 Columbus, Ohio 43215 paul@carpenterlipps.com

### Counsel for The Kroger Co.

Richard L. Sites Ohio Hospital Association 155 East Broad Street, 3rd Floor Columbus, OH 43215-3620 rick.sites@ohiohospitals.org

Dylan F. Borchers
Devin D. Parram
BRICKER & ECKLER LLP
100 South Third Street
Columbus, OH 43215-4291
dborchers@bricker.com
dparram@bricker.com

## Counsel for the Ohio Hospital Association

Trent Dougherty
Counsel of Record
Miranda Leppla
1145 Chesapeake Avenue, Suite I
Columbus, Ohio 43212-3449
tdougherty@theOEC.org
mleppla@theOEC.org

Counsel for the Ohio Environmental Council and Environmental Defense Fund Joseph Oliker
Counsel of Record
Michael Nugent
IGS Energy
6100 Emerald Parkway
Dublin, Ohio 43016
joliker@igsenergy.com
mnugent@igsenergy.com

# Counsel for IGS Energy

Steven D. Lesser
James F. Lang
N. Trevor Alexander
Mark T. Keaney
CALFEE, HALTER & GRISWOLD LLP
41 S. High St.
1200 Huntington Center
Columbus, Ohio 43215
Telephone: (614) 621-1500
slesser@calfee.com
jlang@calfee.com
talexander@calfee.com
mkeaney@calfee.com

## Counsel for the City of Cincinnati

Mark A. Whitt
Andrew J. Campbell
Rebekah J. Glover
WHITT STURTEVANT LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, Ohio 43215
whit@whitt-sturtevant.com
campbell@whitt-sturtevant.com
glover@whitt-sturtevant.com

Counsel for Direct Energy Services, LLC Direct Energy Business, LLC, and Direct Energy Business Marketing, LLC Mark A. Whitt
Andrew J. Campbell
Rebekah J. Glover
WHITT STURTEVANT LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, Ohio 43215
whit@whitt-sturtevant.com
campbell@whitt-sturtevant.com
glover@whitt-sturtevant.com

### Counsel for Retail Energy Supply Assocation (RESA)

Michael D. Dortch (Counsel of Record)
Richard R. Parsons
Justin M. Dortch
Kravitz, Brown & Dortch, LLC
65 East State Street, Suite 200
Columbus, Ohio 43215
mdortch@kravitzll.com

## Counsel for Calpine Energy Solutions, LLC

Michael J. Settineri
Special Assistant Attorney General
VORYS, SATER, SEYMOUR AND
PEASE LLP
52 E. Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
mjsettineri@vorys.com

### Counsel for the University of Cincinnait

Michael J. Settineri
Special Assistant Attorney General
VORYS, SATER, SEYMOUR AND
PEASE LLP
52 E. Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
mjsettineri@vorys.com

Counsel for Miami University

Michael J. Settineri, Counsel of Record Gretchen L. Petrucci VORYS, SATER, SEYMOUR AND PEASE LLP 52 E. Gay Street P.O. Box 1008 Columbus, Ohio 43216-1008 mjsettineri@vorys.com glpetrucci@vorys.com

Counsel for Constellation NewEnergy, Inc. and Exelon Generation Company, LLC

This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

10/4/2017 3:36:09 PM

in

Case No(s). 17-1263-EL-SSO

Summary: Notice of Deposition Notice of Duke Energy Ohio to Take Deposition Duces Tecum of People Working Cooperatively, Inc. electronically filed by Mrs. Debbie L Gates on behalf of Duke Energy Ohio Inc. and Spiller, Amy B and Kingery, Jeanne W