

**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates.	)	)	Case No. 17-32-EL-AIR
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.	)	)	Case No. 17-33-EL-ATA
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	)	)	Case No. 17-34-EL-AAM

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**NOTICE OF DUKE ENERGY OHIO, INC.,  
TO TAKE DEPOSITION *DUCES TECUM* OF  
THE KROGER COMPANY**

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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 Kroger Company (Kroger) intends to rely upon at hearing and any persons on whom OCC relied upon in forming its opinion in the above captioned matter, on November 28, 2017, beginning at 1:00 P.M. 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,

/s/ Jeanne W. Kingery

Amy B. Spiller (0047277)

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 Kroger 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 Kroger 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 6<sup>th</sup> day of October, 2017.

/s/ Jeanne W. Kingery  
Jeanne W. Kingery

Steven L. Beeler  
Robert A. Eubanks  
Assistant Attorneys General  
Public Utilities Section  
30 East Broad St., 16<sup>th</sup> Floor  
Columbus, Ohio 43215  
[Steven.beeler@ohioattorneygeneral.gov](mailto:Steven.beeler@ohioattorneygeneral.gov)  
[Robert.eubanks@ohioattorneygeneral.gov](mailto:Robert.eubanks@ohioattorneygeneral.gov)

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

David Boehm  
Michael L. Kurtz  
Jody Kyler Cohn  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
[dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)

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

Michael D. Dortch  
Richard R. Parsons  
Justin M. Dortch  
Kravitz, Brown & Dortch, LLC  
65 East State Street, Suite 200  
Columbus, Ohio 43215  
[mdortch@kravitzllc.com](mailto:mdortch@kravitzllc.com)

### **Counsel for Calpine Energy Solutions, LLC**

William Michael  
Christopher M. Healey  
Assistant Consumers' Counsel  
Office of the Ohio Consumers'  
Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485  
[Christopher.healey@occ.ohio.gov](mailto:Christopher.healey@occ.ohio.gov)

### **Counsel for Office of the Ohio Consumers' Counsel**

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](mailto:fdarr@mwncmh.com)  
[mpritchard@mwncmh.com](mailto:mpritchard@mwncmh.com)

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

Madeline Fleisher  
21 West Broad St., 8<sup>th</sup> Floor  
Columbus, OH 43215  
[mfleisher@elpc.org](mailto:mfleisher@elpc.org)

### **Counsel for Environmental Law & Policy Center**

Dylan F. Borchers  
Devin D. Parram  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, OH 43215-4291  
[dborchers@bricker.com](mailto:dborchers@bricker.com)  
[dparram@bricker.com](mailto:dparram@bricker.com)

**Counsel for Ohio Hospital Association**

Richard L. Sites  
Regulatory Counsel  
155 East Broad Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215-3620  
[Rick.sites@ohiohospitals.org](mailto:Rick.sites@ohiohospitals.org)

**Counsel for Ohio Hospital Association**

Angela Paul Whitfield  
Carpenter Lipps & Leland LLP  
280 North High Street, Suite 1300  
Columbus, Ohio 43215  
[paul@carpenterlipps.com](mailto:paul@carpenterlipps.com)

**Counsel for The Kroger Co.**

Colleen L. Mooney  
1431 Mulford Road  
Columbus, Ohio 43212  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)

**Counsel for Ohio Partners for  
Affordable Energy**

Elyse Akhbari  
Counsel of Record  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, OH 43215  
[eakhbari@bricker.com](mailto:eakhbari@bricker.com)

**Counsel for People Working  
Cooperatively, Inc.**

Miranda Leppla  
Counsel of Record  
Trent Dougherty  
1145 Chesapeake Avenue, Suite I  
Columbus, Ohio 43212-3449  
[mleppa@theOEC.org](mailto:mleppa@theOEC.org)  
[tdougherty@theOEC.org](mailto:tdougherty@theOEC.org)

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

Joseph Olikier  
Michael Nugent  
6100 Emerald Parkway  
Dublin, Ohio 43016  
[joliker@igsenergy.com](mailto:joliker@igsenergy.com)  
[mnugent@igsenergy.com](mailto:mnugent@igsenergy.com)

**Counsel for IGS Energy**

Kurt J. Boehm  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)

**Counsel for the City of Cincinnati**

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](mailto:Perko@carpenterlipps.com)

Mark A. Whitt  
Andrew J. Campbell  
Rebekah J. Glover  
Whitt, Sturtevant LLP  
The KeyBank Building, Suite 1590  
88 East Broad Street  
Columbus, Ohio 43215  
[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)  
[Campbell@whitt-sturtevant.com](mailto:Campbell@whitt-sturtevant.com)  
[glover@whitt-sturtevant.com](mailto:glover@whitt-sturtevant.com)

**Counsel for The Ohio Manufacturers' Association Energy Group**

**Counsel for the Retail Energy Supply Association (RESA)**

D. David Altman (Counsel of Record)  
Justin D. Newman  
J. Michael Weber  
D. DAVID ALTMAN CO., L.P.A.  
15 East 8th Street, Suite 200W  
Cincinnati, Ohio 45202  
daltman@environlaw.com  
jnewman@environlaw.com  
jweber@environlaw.com

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

**Counsel for Cincinnati Clean Energy Foundation**

**Counsel for Direct Energy Services, LLC, Direct Energy Business, LLC, and Direct Energy Business Marketing, LLC**

Samantha Williams  
Staff Attorney  
Natural Resources Defense Council  
20 N. Wacker Drive, Suite 1600  
Chicago, IL 60606  
[swilliams@nrdc.org](mailto:swilliams@nrdc.org)

**Counsel for the Natural Resources Defense Council**

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**Case No(s). 17-0032-EL-AIR, 17-0033-EL-ATA, 17-0034-EL-AAM**

Summary: Notice of Deposition of The Kroger Company (Kroger) electronically filed by Ms. Emily Olive on behalf of Duke Energy Ohio and Spiller, Amy B. Ms. and Kingery, Jeanne W. Ms. and Watts, Elizabeth H. Ms. and D'Ascenzo, Rocco O. Mr.