

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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|-------------------------------|---|-------------------------|
| Suburban Natural Gas Company, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | Case No. 17-2168-GA-CSS |
| |) | |
| Columbia Gas of Ohio, Inc. |) | |
| |) | |
| Respondent. |) | |

NOTICE OF DEPOSITION

Pursuant to Ohio Administrative Code Rule 4901-1-21 (F), Respondent Columbia Gas of Ohio, Inc. hereby gives notice that the deposition of Complainant Suburban Natural Gas Company ("Suburban") shall be held at the offices of Porter Wright Morris & Arthur LLP, 41 South High Street, Suite 3000, Columbus, OH 43215, on Thursday, November 9, 2017. Suburban shall choose one or more of its officers, agents, employees, or other persons duly authorized to testify on its behalf, and shall set forth, for each person designated, the matters listed on Exhibit A on which he or she will testify. The persons so designated shall testify as to such matters known or reasonably available to the organization. The deposition shall begin at 1:00 P.M., be administered by a notary public, shall be recorded by stenographic means, and shall continue until complete.

Respectfully submitted,

/s/ Mark S. Stemm

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CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document is also being served via electronic mail on the 2nd day of November, 2017 upon the parties listed below.

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/s/ Mark S. Stemm
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Attorney for
COLUMBIA GAS OF OHIO, INC.

Exhibit A - Matters for Deposition

1. The Second Amended Joint Petition, Application, and Stipulation in November 1995, approved by the Commission on January 18, 1996 (Exhibit A to Verified Complaint—the “1995 Stipulation.”)
2. All facts and documents supporting Suburban’s “expectation,” as alleged in paragraph 9 of the Verified Complaint, that “Columbia would not later resurrect ‘any program substantially similar to such programs’ [i.e., Buckeye Builder, Scarlet Builder, Gray Builder, High Volume Single Family Builder, and Mark of Efficiency] in areas served by Suburban....”
3. Columbia’s past Buckeye Builder, Scarlet Builder, Gray Builder, High Volume Single Family Builder, and Mark of Efficiency programs and Columbia’s current EfficiencyCrafted Homes program.
4. All facts and documents supporting Suburban’s allegation in paragraph 18 of the Verified Complaint that “[t]he 1995 Stipulation was intended to permanently end Columbia’s use of builder incentive programs in areas served, or readily-capable of being served, by Suburban” including “the Glen Ross subdivision and adjacent developments.”
5. All facts and documents supporting Suburban’s “information and belief” alleged in paragraph 45 of the Verified Complaint that Columbia “is offering to, or has, agreed with builders or others to waive deposits or other charges required under the Main Extension Tariff” [P.U.C.O. No. 2, Rules and Regulations Governing the Distribution and Sale of Gas, Third Revised Sheet Nos. 9 and 10 (eff. May 31, 2017)].
6. All facts and documents supporting Suburban’s allegation in the introduction to its Verified Complaint that Columbia “has embarked on a project to enrich itself and destroy a competitor”
7. All facts and documents supporting Suburban’s allegation in paragraph 52 of the Verified Complaint that Columbia is “extending preferences and advantages for the purpose of destroying competition...in violation of R.C. 4905.32, 4905.33, R.C. 4905.35 and R.C. 4929.08.
8. The identity of the builders and substance of communications alleged in paragraphs 19-21 of the Verified Complaint.

9. Suburban's verbal and written representations to prospective builders in and around the Glenross subdivision development and its extension about Columbia's EfficiencyCrafted Homes program.
10. Suburban's verbal and written threats to prospective builders in and around the Glenross subdivision development and its extension about legal action Suburban may or will take if the builders accept service from Columbia.
11. All facts and documents supporting Suburban's definition of "Columbia's service territory" in paragraphs 17, 34-36 of the Verified Complaint.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/2/2017 4:39:51 PM

in

Case No(s). 17-2168-GA-CSS

Summary: Notice of Deposition of Suburban Natural Gas Company electronically filed by Mr. Eric B. Gallon on behalf of Columbia Gas of Ohio, Inc.