

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's)	
Investigation into Verde Energy)	
USA Ohio, LLC's Compliance with)	Case No. 19-0958-GE-COI
the Ohio Administrative Code and)	
Potential Remedial Actions for)	
Non-Compliance.)	

**NOTICE TO TAKE DEPOSITIONS
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

To:

C. Alexis Keene
Interim General Counsel and Corporate Secretary
Verde Energy USA Ohio, LLC
12140 Wickchester Ln., Suite 100
Houston, TX 77079

Karen White
Manager, Regulatory Compliance
Verde Energy USA Ohio, LLC
12140 Wickchester Ln., Suite 100
Houston, TX 77079

David Proaño
Kendall Kash
Daniel Lemon
Taylor Thompson

Attorneys for Verde Energy USA Ohio, LLC

Baker & Hostetler LLP
127 Public Square, Suite 2000
Cleveland, Ohio 44114

Rachel Palmer Hooper
Baker & Hostetler LLP
811 Main, Suite 1100
Houston, Texas 77002

Please take notice under Ohio Adm. Code 4901-1-21(B) that the Office of the Ohio Consumers' Counsel ("OCC") will take the oral depositions of Verde Energy USA Ohio, LLC ("Verde") beginning on October 14, 2019 at 10:00 a.m. Eastern Time, or at a date and time as mutually agreed upon by OCC and Verde Energy USA Ohio, LLC ("Verde") on the following matters:

- a) the PUCO Staff's finding that a consumer received a call from Verde on his work phone where the caller ID displayed US GOVT IRS 513-263-578. *See* Staff Report at footnote 11 (May 29, 2019)
- b) the PUCO Staff's finding that several consumers received a call from Verde in which the caller ID displayed numbers that began with 513-287 and 513-263, which are the area code and prefixes in use by Duke Energy Ohio employees in Cincinnati, Ohio. *See* Staff Report at footnote 12 (May 29, 2019).
- c) the PUCO Staff's finding that a customer received a call from Jack Jordan (Verde ID # 121125) in which the caller ID indicated that the call was from the Illuminating Company. *See* Staff Report at footnote 13, PUCO Call Center Case ID # 265297 (May 29, 2019).
- d) the PUCO Staff's finding that a Verde sales representative spoofed the number of a local utility toll-free customer service number (800-672-2231). *See* Staff Report at footnote 14, PUCO Call Center Case ID # 2457477, 248892 (May 29, 2019).
- e) the information sought by OCC in its sixth set of discovery served on Verde on September 25, 2019.

In accordance with 4901-1-21(F), Verde shall choose one or more of its officers, agents, employees, or other persons duly authorized to testify on its behalf at the depositions on the matters on which examination is requested, as listed in paragraphs a-e, above. Once Verde has chosen the deponent(s), Verde shall promptly identify each person designated to be deposed and the matters on which he or she will testify.

The depositions will take place at the offices of OCC, 65 E. State St., 7th Floor, Columbus, Ohio 43215, at a location mutually agreeable to OCC and Verde, or

telephonically if mutually agreeable to OCC and Verde. The deponents will appear at the agreed upon place at the designated time and date and remain present until deposed.

The depositions will be taken of the aforementioned deponents on relevant topics within the scope of these proceedings. The depositions 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 Verde is requested to produce one full day in advance of the deposition, and within seven days of this deposition notice, the following documents:

1. A resume or curriculum vitae for each Verde designated deponent.
2. All documents related to the Verde designated deponent's knowledge or expertise of the matters identified in paragraphs (a) through (e) above.

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ Angela D. O'Brien

Angela D. O'Brien (0097579)
Counsel of Record
Christopher Healey (0086027)
Bryce McKenney (0088203)
Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

65 East State Street, 7th Floor
Columbus, Ohio 43215
Telephone [O'Brien]: (614) 466-9531
Telephone [Healey]: (614) 466-9571
Telephone [McKenney]: (614) 466-9585
angela.obrien@occ.ohio.gov
christopher.healey@occ.ohio.gov
bryce.mckenney@occ.ohio.gov
(willing to accept service by e-mail)

Kimberly W. Bojko (0069402)
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
bojko@carpenterlipps.com
(willing to accept service by e-mail)
Outside Counsel for
The Office of the Ohio Consumers' Counsel

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing Notice to Take Depositions and Requests for Production of Documents was served by electronic transmission upon the parties below this 7th day of October 2019.

/s/ Angela D. O'Brien
Angela D. O'Brien
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

SERVICE LIST

Thomas.lindgren@ohioattorneygeneral.gov	C. Alexis Keene
Andrew.shaffer@ohioattorneygeneral.gov	Interim General Counsel and Corporate
dproano@bakerlaw.com	Secretary
kkash@bakerlaw.com	Verde Energy USA Ohio, LLC
dlemon@bakerlaw.com	12140 Wickchester Ln., Suite 100
tathompson@bakerlaw.com	Houston, TX 77079
Joe.Oliker@igs.com	akeene@sparkenergy.com
Michael.Nugent@igs.com	
Bethany.Allen@igs.com	Karen White
rhooper@bakerlaw.com	Verde Energy USA Ohio, LLC
	12140 Wickchester Ln., Suite 100
	Houston, TX 77079
	kwhite@sparkenergy.com

Attorney Examiners:

Anna.Sanyal@puco.ohio.gov

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/7/2019 4:20:57 PM

in

Case No(s). 19-0958-GE-COI

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 Mrs. Tracy J Greene on behalf of O'Brien, Angela