

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's	)	
Investigation into RPA Energy, Inc.'s	)	
Compliance with the Ohio	)	Case No. 22-441-GE-COI
Administrative Code and Potential	)	
Remedial Actions for Non-	)	
Compliance.	)	

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**STAFF OF THE PUBLIC UTILITIES COMMISSION OF OHIO  
MOTION FOR AMENDED SUBPOENAS FOR CONSUMER WITNESSES**

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In accordance with Rule 4901-1-25, Staff of the Public Utilities Commission of Ohio (Staff) requests amended subpoenas issued to the following consumer witnesses, who voluntarily want to testify at the evidentiary hearing scheduled to begin on October 26, 2022:

- Ed Tokar: 1832 North Nantucket Drive, Lorain, Ohio 44053
- Sheila Barton-Johnson: 613 Gholson Ave Apt 210, Cincinnati, 45229
- Tyler Beauregard: 5778 Arborwood Court Apt D, Columbus, 43229

Staff also request expedited treatment of this motion. Staff has not heard back from the parties on whether or not they opposed this motion or the expedited treatment of the motion. However, the parties did not oppose the previous motion for subpoenas to the same consumers. Further, given that the subpoenas are for consumers and not to agents or employees of the parties, the parties are not harmed. This motion should be granted for the reasons set forth below.

Respectfully submitted,

**Dave Yost**  
Ohio Attorney General

**John H. Jones**  
Section Chief

*/s/ Robert Eubanks*

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**Robert Eubanks**  
**Rhiannon Plant**  
(Counsel of Record)  
Assistant Attorneys General  
30 E. Broad St., 26<sup>th</sup> Floor  
Columbus, OH 43215  
Tel.: 614.466.4395  
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[Robert.Eubanks@OhioAGO.gov](mailto:Robert.Eubanks@OhioAGO.gov)  
[Rhiannon.Plant@OhioAGO.gov](mailto:Rhiannon.Plant@OhioAGO.gov)

**On Behalf of the Staff of the  
Public Utilities Commission of Ohio**

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## MEMORANDUM IN SUPPORT

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Under Rule 4901-1-25, a party may motion an Attorney Examiner for the issuance of a subpoena if appropriate. Accordingly, Staff is requesting that the AE find it appropriate to issue amended subpoenas to the following consumer witnesses:

- Ed Tokar: 1832 North Nantucket Drive, Lorain, Ohio 44053
- Sheila Barton-Johnson: 613 Gholson Ave Apt 210, Cincinnati, 45229
- Tyler Beauregard: 5778 Arborwood Court Apt D, Columbus, 43229

The issuance of amended subpoenas to the above-listed consumers will properly notify the virtual and in-person participants of the date and time of the hearing, will allow the witnesses to recover some cost of testifying, and will give the witnesses an official notice that can serve as a justifiable reason for employers to allow the witnesses to be absent from work to testify. This request is for the amendment of the October 19, 2022 hearing date, on the previously approved and signed subpoenas, to the new hearing date of October 26, 2022. Staff has not heard back from the parties on whether or not they opposed this motion or the expedited treatment of the motion. However, the parties did not oppose the previous motion for subpoenas to the same consumers. Further, given that the subpoenas are for consumers and not to agents or employees of the parties, the parties are not harmed.

Respectfully submitted,

**Dave Yost**  
Ohio Attorney General

**John H. Jones**  
Section Chief

*/s/ Robert Eubanks*

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**Robert Eubanks**  
**Rhiannon Plant**  
(Counsel of Record)  
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30 E. Broad St., 26<sup>th</sup> Floor  
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[Robert.Eubanks@OhioAGO.gov](mailto:Robert.Eubanks@OhioAGO.gov)  
[Rhiannon.Plant@OhioAGO.gov](mailto:Rhiannon.Plant@OhioAGO.gov)

**On Behalf of the Staff of the  
Public Utilities Commission of Ohio**

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the **Staff of the Public Utilities Commission of Ohio Motion for Subpoenas for Consumer Witnesses** on behalf of the Staff of the Public Utilities Commission of Ohio, has been served upon the below-named counsel via electronic mail, this 17<sup>th</sup> day of October 2022.

*/s/ Robert Eubanks*

**Robert Eubanks**

Assistant Attorney General

**Parties of Record:**

[angela.obrien@occ.ohio.gov](mailto:angela.obrien@occ.ohio.gov)

[ambrosia.wilson@occ.ohio.gov](mailto:ambrosia.wilson@occ.ohio.gov)

[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)

**Attorney Examiners:**

[Jesse.davis@puco.ohio.gov](mailto:Jesse.davis@puco.ohio.gov)

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Remedial Actions for Non-Compliance.	)	
	)	

**AMENDED SUBPOENA DUCES TECUM**

**TO:**

**Ed Tokar**  
**1832 North Nantucket Drive**  
**Lorain, Ohio 44053**

Upon application of Staff of the Public Utilities Commission of Ohio (Staff), you are hereby required to appear before the Public Utilities Commission of Ohio as a consumer witness in the above-captioned matter. You are to appear **virtually** for the hearing held on the 11<sup>th</sup> floor of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793 on October 26, 2022 at 10:00 a.m.

  
\_\_\_\_\_  
Attorney Examiner

October 17, 2022  
\_\_\_\_\_  
Date

Notice: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the **Subpoena**, has been served upon the below-named counsel via electronic mail, this 17<sup>th</sup> day of October 2022. It was served via certified mail to Ed Tokar.

/s/ Robert Eubanks

**Robert Eubanks**

Assistant Attorney General

### **Parties of Record:**

angela.obrien@occ.ohio.gov

ambrosia.wilson@occ.ohio.gov

whitt@whitt-sturtevant.com

### **Attorney Examiner:**

Jesse.Davis@puco.ohio.gov

**BEFORE  
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Compliance with the Ohio	)	Case No. 22-441-GE-COI
Administrative Code and Potential	)	
Remedial Actions for Non-Compliance.	)	

**AMENDED SUBPOENA DUCES TECUM**

**To:**

**Sheila Barton-Johnson  
613 Gholson Ave Apt 210  
Cincinnati, 45229**

Upon application of Staff of the Public Utilities Commission of Ohio (Staff), you are hereby required to appear before the Public Utilities Commission of Ohio as a consumer witness in the above-captioned matter. You are to appear **virtually** for the hearing held on the 11<sup>th</sup> floor of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793 on October 26, 2022 at 10:00 a.m.

  
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Attorney Examiner

October 17, 2022  
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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the **Subpoena**, has been served upon the below-named counsel via electronic mail, this 17<sup>th</sup> day of October 2022. It was served via certified mail to Sheila Barton-Johnson.

/s/ Robert Eubanks

**Robert Eubanks**

Assistant Attorney General

### **Parties of Record:**

angela.obrien@occ.ohio.gov

ambrosia.wilson@occ.ohio.gov

whitt@whitt-sturtevant.com

### **Attorney Examiner:**

Jesse.Davis@puco.ohio.gov

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Administrative Code and Potential	)	
Remedial Actions for Non-Compliance.	)	

**AMENDED SUBPOENA DUCES TECUM**

**To:**

**Tyler Beauregard  
5778 Arborwood Court Apt D  
Columbus, Ohio 43229**

Upon application of Staff of the Public Utilities Commission of Ohio (Staff), you are hereby required to appear before the Public Utilities Commission of Ohio as a consumer witness in the above-captioned matter. You are to appear **in person** for the hearing held on the 11<sup>th</sup> floor of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793 on October 26, 2022 at 10:00 a.m.

  
\_\_\_\_\_  
Attorney Examiner

October 17, 2022  
\_\_\_\_\_  
Date

Notice: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the **Subpoena**, has been served upon the below-named counsel via electronic mail, this 17<sup>th</sup> day of October 2022. It was served via certified mail to Tyler Beauregard.

/s/ Robert Eubanks

**Robert Eubanks**

Assistant Attorney General

### **Parties of Record:**

angela.obrien@occ.ohio.gov

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whitt@whitt-sturtevant.com

### **Attorney Examiner:**

Jesse.Davis@puco.ohio.gov

**This foregoing document was electronically filed with the Public Utilities  
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**in**

**Case No(s). 22-0441-GE-COI**

Summary: Motion Staff of the Public Utilities Commission of Ohio Motion for  
Subpoenas for Consumer Witnesses electronically filed by Mrs. Kimberly M.  
Naeder on behalf of PUCO