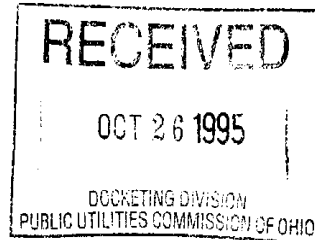




Working For You Today And Tomorrow
(513) 259-7103
Legal Department

October 25, 1995

Public Utilities Commission of Ohio
Attention: Greta See, Attorney Examiner
180 East Broad Street
Columbus, OH 43215



Re: *James Miller v. DP&L*, PUCO Case No. 95-157-GE-CSS

Dear Ms. See:

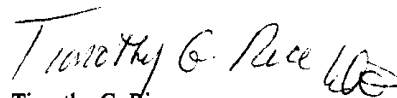
Enclosed is DP&L's *Motion to Issue Subpoena for Attendance at Hearing, a Memorandum In Support*, and the subpoena that DP&L would like to have issued. Also enclosed is a check for \$50.00 to cover any witness/mileage fees, made payable to the PUCO, in accordance with Ohio Administrative Code 4901-01-25(F).

Please sign the subpoena and return it to me in the enclosed self-addressed, postage prepaid envelope. We intend to personally serve the subpoena upon receipt, and will forward the Return of Service to the docketing clerk after the subpoena has been served.

In addition, we have included fifteen (15) copies of the Motion and the subpoena, along with another self-addressed, postage prepaid envelope. Please forward them to your docketing clerk for inclusion into the official records, with one stamped copy to be returned to us for our file.

Thank you for your assistance in this matter.

Sincerely yours,


Timothy G. Rice
Associate Counsel

LW0524/3

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician S. Watson Date Processed 11/30/95

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

IN THE MATTER OF THE COMPLAINT
OF JAMES MILLER,

Complainant

v.

THE DAYTON POWER AND LIGHT
COMPANY,

Respondent

» Case No. 95-157-GE-CSS

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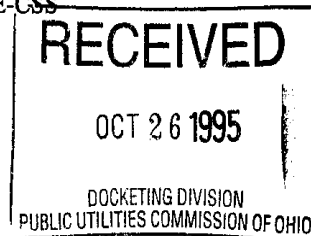
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**MOTION TO ISSUE
SUBPOENA FOR
ATTENDANCE AT HEARING**

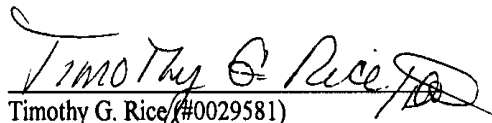
NOW COMES Respondent, The Dayton Power and Light Company, through counsel, and moves the Attorney Examiner to issue a *Subpoena for Attendance at Hearing* to Mr. Paul Henry, pursuant to Ohio Administrative Code §4901-1-25.

MEMORANDUM IN SUPPORT

The Respondent is defending a Complaint filed by James R. Miller, the Complainant, involving allegations of an illegal disconnect and wrongful relocation of Complainant's gas meters at the Complainant's expense. The individual named above has been identified as one of the plumbers that assisted the Complainant in the removal of his gas meters and/or in the subsequent testing of the lines. Additionally, this individual has information which is relevant to matters which are the subject of this action. Accordingly, the Respondent desires to present Mr. Henry's testimony at the hearing of this matter.

Therefore, the Respondent respectfully requests the Attorney Examiner to cause the *Subpoena for Attendance at Hearing* that is enclosed to be issued to the individual named above, in compliance with Ohio Administrative Code 4901-01-25.

Respectfully submitted,



Timothy G. Rice (#0029581)

Attorney for Respondent

The Dayton Power and Light Company

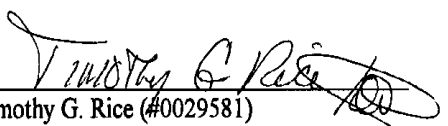
P. O. Box 8825

Dayton, OH 45401

(513) 259-7103

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Motion to Issue Subpoena for Attendance at Hearing* was served on James R. Miller, pro se Complainant, 128 W. Williams, Bellefontaine, Ohio 43311 by regular U. S. mail, postage prepaid, this 25th day of October, 1995.


Timothy G. Rice (#0029581)

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

IN THE MATTER OF THE COMPLAINT	»	Case No. 95-157-GE-CSS
OF JAMES MILLER,	»	
	»	
Complainant	»	
	»	
v.	»	
	»	
THE DAYTON POWER AND LIGHT	»	
COMPANY,	»	
	»	<u>SUBPOENA FOR</u>
	»	<u>ATTENDANCE AT HEARING</u>
Respondent	»	

TO: Paul Henry
1595 County Road 31 North
Bellefontaine, OH 43311

YOU ARE COMMANDED TO APPEAR at the offices of the Public Utilities Commission of Ohio, 180 E. Broad Street, Columbus, Ohio on Thursday, November 2, 1995, at 10:00 a.m. to give testimony concerning any and all aspects of the gas meters and/or the gas service provided to James R. Miller, the Complainant in the above-referenced matter.

Greta See, Attorney Examiner
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215
(614) 728-2849