

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>MOTION TO RE-ISSUE</u>
	»	<u>SUBPOENA</u>
Respondent	»	

NOW COMES Respondent, The Dayton Power and Light Company, through counsel, and moves the Attorney Examiner to re-issue its subpoena to Janice Holderman, pursuant to Ohio Administrative Code §4901-1-25.

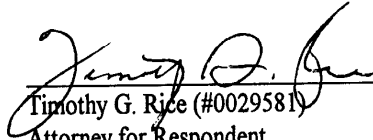
MEMORANDUM IN SUPPORT

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 Respondent was unable to serve the subpoena previously issued by the Attorney Examiner to Janice Holderman. It is believed Ms. Holderman vacated the premises prior to attempted service of the subpoena. However, DP&L has since obtained a better address for Ms. Holderman. Accordingly, the Respondent desires to have the *Deposition Subpoena and Subpoena Duces Tecum* re-issued to reflect the new address.

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 Aime M. Nixon Date Processed Oct 12, 1995

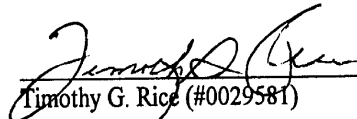
Therefore, the Respondent respectfully requests the Attorney Examiner to cause the *Deposition Subpoena and Subpoena Duces Tecum* that is enclosed to be re-issued to the individual named above, in compliance with Ohio Administrative Code 4901-01-25.

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 Re-Issue Subpoena* was served on James R. Miller, pro se Complainant, 128 W. Williams, Bellefontaine, Ohio 43311 by regular U. S. mail, postage prepaid, this 10th day of October, 1995.

  
\_\_\_\_\_  
Timothy G. Rice (#0029581)

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	»	
THE DAYTON POWER AND LIGHT	»	
COMPANY,	»	<b><u>DEPOSITION SUBPOENA AND</u></b>
	»	<b><u>SUBPOENA DUCES TECUM</u></b>
Respondent	»	<b><u>TO JANICE HOLDERMAN</u></b>

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TO: Janice Holderman  
314 S. Elizabeth Street  
Belle Center, OH 43310

**YOU ARE COMMANDED TO APPEAR** at the 5th Floor Conference Room of the DP&L Building at Courthouse Plaza Southwest, located at the corner of Third and Ludlow Streets, Dayton, Ohio on Monday, October 23, 1995, at 8:30 a.m. to give testimony, and to bring with you any and all documentation in your possession concerning any and all aspects of the gas meters and/or the gas or electric service provided to James R. Miller, the Complainant in the above-reference matter. The deposition will continue day to day until complete.

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