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FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV  
2004 APR 28 PM 4:11

PUCO

In the Matter of the Application of )  
The Cincinnati Gas & Electric Company )  
To Modify Its Non-Residential Generation )  
Rates to Provide for Market-Based Standard )  
Service Offer Pricing and to Establish a Pilot )  
Alternative Competitively-Bid Service Rate )  
Option Subsequent to Market Development Period )

Case No. 03-93-EL-ATA

In the Matter of the Application of )  
The Cincinnati Gas & Electric Company )  
For Authority to Modify Current Accounting )  
Procedures for Certain Costs Associated With )  
The Midwest Independent Transmission )  
System Operator )

Case No. 03-2079-EL-AAM

In the Matter of the Application of )  
The Cincinnati Gas & Electric Company )  
For Authority to Modify Current Accounting )  
Procedures for Capital Investment in its )  
Electric Transmission and Distribution System )  
And to Establish a Capital Investment Reliability )  
Rider to be Effective After the Market )  
Development Period )

Case No. 03-2081-EL-AAM

Case No. 03-2080-EL-ATA

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**NOTICE TO TAKE DEPOSITIONS OF WITNESSES FOR CINCINNATI GAS &  
ELECTRIC UPON ORAL EXAMINATION  
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

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Pursuant to Ohio Adm. Code Rule 4901-1-21(B), please take notice that the Office of the Ohio Consumers' Counsel ("OCC") will take the oral deposition of Judah L. Rose, Richard G. Stevie, James E. Ziolkowski, William L. Greene and John P. Steffen in the above-captioned matters whose testimony on behalf of the Cincinnati Gas & Electric Company ("CG&E") was filed on April 15, 2004 at the Public Utilities Commission of Ohio. By agreement with counsel for CG&E, the depositions will take

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place at CG&E's offices, 139 E. Fourth Street, Room 1400, Cincinnati, Ohio (check in at lobby security desk). Also by agreement with CG&E's counsel, the depositions will take place in the following order and on the stated dates:

Monday, May 3 (9:00 a.m. start)

Judah L. Rose  
Richard G. Stevie

Tuesday, May 4 (10:00 a.m. start)

James E. Ziolkowski  
William L. Greene

Wednesday, May 5 (10:00 a.m. start)

John P. Steffen

A phone bridge will be provided for counsel to attend telephonically,<sup>1</sup> and the OCC intends to use the phone bridge to cross-examine Mr. Steffen on May 5, 2004. Other parties are invited to attend all sessions and to cross-examine the witnesses.

The depositions will be taken of the aforementioned deponents on relevant topics within the deponent's expertise, including but not limited to, the subject matter of his testimony. The depositions will be taken upon oral examination (as upon cross-examination) before an officer authorized by law to take depositions and will continue from day to day, except for holidays and weekends, until completed. The above schedule is expected to provide sufficient time for cross-examination.

Pursuant to Ohio Adm. Code Rules 4901-1-21(E) and 4901-1-20, the deponents are requested to produce at the time of his deposition all documents relating to his testimony in these proceedings or responses to discovery, including, but not limited to,

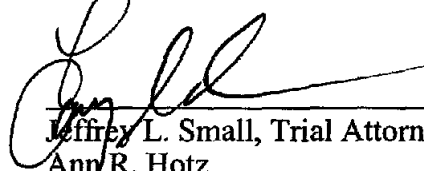
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<sup>1</sup> CG&E has agreed to provide the call-in instructions to all parties in a subsequent electronic message.

the results of any studies done for these proceedings and any backup documentation,  
including raw data, for those studies.

Respectfully submitted,

Janine Migden-Ostranger  
CONSUMERS' COUNSEL



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this *Notice of Depositions* was served electronically and first-class mail, postage prepaid, to the parties of record identified below, this 28th day of April, 2004.

  
\_\_\_\_\_  
Jeff Small

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