

JOE F. CHILDERS & ASSOCIATES

ATTORNEYS AT LAW

THE LEXINGTON BUILDING

201 West Short Street, Suite 300
Lexington, Kentucky 40507

Joe F. Childers, Esquire
childerslaw81@gmail.com

Telephone: (859) 253-9824
Facsimile: (859) 258-9288

RECEIVED

May 10, 2013

MAY 13 2013

Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

PUBLIC SERVICE
COMMISSION

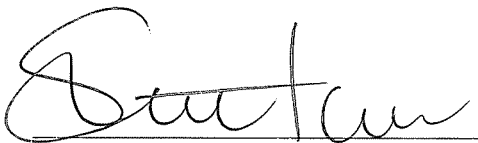
*In the Matter of: Application of Big Rivers Electric Corporation, Inc.
Case # : 2012-00535*

Dear Sir/Madam:

Please find enclosed the original and ten (10) copies of the Motion for Admission *Pro Hac Vice* this office has prepared regarding the above-mentioned matter. At your earliest convenience, please file the Motion with the Commission and return a stamped copy in the enclosed self-addressed envelope.

Thank you in advance for your assistance to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,


SHUO HAN

Enclosures

RECEIVED

MAY 13 2013

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:)
)
APPLICATION OF BIG RIVERS)
ELECTRIC CORPORATION, INC.)
FOR AN ADJUSTMENT OF RATES)

CASE NO. 2012-00535

MOTION FOR ADMISSION PRO HAC VICE

Come the Intervenors, Ben Taylor and Sierra Club (collectively "Intervenors"), by and through counsel, and hereby move for the admission *pro hac vice* of Shannon W. Fisk as counsel for said Intervenors. Mr. Fisk's business address is 1617 John F. Kennedy Boulevard, Suite 1675, Philadelphia, Pennsylvania 19103.

Attached hereto as Exhibit A is the Kentucky Bar Association out-of-state certification form certifying that Mr. Fisk has paid the fee for admission required by SCR 3.030(2). Mr. Fisk is a member in good standing of the State Bar of Illinois (IL Bar No. 6269746), and is not under suspension or disbarment from any bar. Furthermore, Mr. Fisk has previously been admitted to practice before this Commission in Case Nos. 2011-00161, 2011-00162, 2011-00375, 2011-00401, 2012-00063, and 2012-00578.

WHEREFORE, the Commission is hereby requested to enter an Order permitting Mr. Fisk to appear *pro hac vice* in this case.

Dated: May 10, 2013

Respectfully submitted,



Joe F. Childers
Joe F. Childers & Associates
300 Lexington Building
201 West Short Street
Lexington, Kentucky 40507
P: 859-253-9824
F: 859-258-9288

CERTIFICATE OF SERVICE

I certify that I mailed a copy of this Motion for Admission *Pro Hac Vice* by first class mail on May 10, 2013 to the following:

Mark A Bailey
President CEO
Big Rivers Electric Corporation
201 Third Street
Henderson, KY 42419-0024

Honorable Thomas C. Brite
Attorney At Law
Brite & Hopkins, PLLC
83 Ballpark Road
P.O. Box 309
Hardinsburg, KENTUCKY 40143

David Brown
Stites & Harbison, PLLC
1800 Providian Center
400 West Market Street
Louisville, KENTUCKY 40202

Jennifer B Hans
Assistant Attorney General's Office
1024 Capital Center Drive, Ste 200
Frankfort, KENTUCKY 40601-8204

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Dorsey, King, Gray, Norment & Hopgood
318 Second Street
Henderson, KENTUCKY 42420

Honorable Michael L. Kurtz
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Boehm, Kurtz & Lowry
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Cincinnati, OHIO 45202

Burns E Mercer
Manager
Meade County R.E.C.C.
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Brandenburg, KY 40108-0489

Honorable James M. Miller
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Vice President Accounting, Rates & CFO
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Attorney
Denton & Keuler, LLP
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Paducah, KENTUCKY 42002-0929



JOE F. CHILDERS

KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET
FRANKFORT, KENTUCKY 40601-1812

(502) 564-3795

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KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

COURT Kentucky Public Service Commission

CASE NO. 2012-00535

SCR 3.030 Membership, practice by nonmembers and classes of membership

(2) A person admitted to practice in another state, but not in this state, shall be permitted to practice a case in this state only if that attorney subjects himself or herself to the jurisdiction and rules of the court governing professional conduct, pays a per case fee of \$270.00 to the Kentucky Bar Association and engages a member of the association as co-counsel, whose presence shall be necessary at all trials and at other times when required by the court. No motion for permission to practice in any state court in this jurisdiction shall be granted without submission to the admitting court of a certification from the Kentucky Bar Association of receipt of this fee.

The Kentucky Bar Association certifies that Shannon Wanzer Fisk has paid the per case fee of \$270.00 in the above referenced case as required in SCR 3.030(2).

A handwritten signature in black ink, reading "Michele M. Pogrotsky". The signature is written in a cursive style and is positioned above a horizontal line.

Michele M. Pogrotsky, Deputy Registrar



KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION REQUEST FORM

RECEIVED
12
ACCOUNTING DEPT.

CH # 001929
\$ 270

PLEASE PROVIDE THIS OFFICE WITH THE FOLLOWING INFORMATION:

NAME: Shannon Wanzer Fisk
(PLEASE PRINT)

DATE OF BIRTH: 05/18/1974

ADDRESS TO BE USED FOR KBA RECORDS:
1617 John F. Kennedy Blvd., Ste. 1675
Philadelphia, PA 19103

Please Note: All Out of State Certification Receipts will be sent to Out of State Attorney unless stated otherwise.
Please indicate if a copy is needed by fax or email by providing a cover sheet.

TELEPHONE NUMBER: (Please indicate if this is a business or home telephone number)

(215) 717-4522



Home



Business

FAX NUMBER: (212) 918-1556

E-MAIL ADDRESS: sfisk@earthjustice.org

STATE BARS OF WHICH YOU ARE A MEMBER IN GOOD STANDING: (Please include membership number)

Illinois, Bar No. 6269746

KY COURT for which you seek Certification: Public Service Commission

CASE NUMBER for which you seek Certification: 2012-00535

KENTUCKY CO-COUNSEL / BAR #: Joe F. Childers ✓, 11850
(REQUIRED)

10-5-81

Since January 1, 2005, have you practiced a case in Kentucky under SCR 3.030?



YES



NO

SCR 3.030 Membership, practice by nonmembers and classes of membership

(2) A person admitted to practice in another state, but not in this state, shall be permitted to practice a case in this state only if that attorney subjects himself or herself to the jurisdiction and rules of the court governing professional conduct, pays a per case fee of \$270.00 to the Kentucky Bar Association and engages a member of the association as co-counsel, whose presence shall be necessary at all trials and at other times when required by the court. No motion for permission to practice in any state court in this jurisdiction shall be granted without submission to the admitting court of a certification from the Kentucky Bar Association of receipt of this fee.



I have read and agree to comply with the requirements set forth in SCR 3.030(2), including submitting to the Rules of Professional Conduct of The Kentucky Supreme Court.



I certify by signing this form that I am a member in good standing in my state(s) of licensure, and that the information provided by me on this form is true and correct.

Notary Seal:
(Required)

[Signature]
SIGNATURE

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
CHRISTOPHER GRANT TOLLEY
Notary Public
PHILADELPHIA CITY, PHILADELPHIA CNTY
My Commission Expires Nov 19, 2016

STATE OF Pennsylvania COUNTY OF Philadelphia

Acknowledged, subscribed & sworn to by Shannon Wanzer Fisk
(Attorney's Name)

who personally appeared before me on the 19 day of April, 2013.

Christopher Grant Tolley
NOTARY PUBLIC
My Commission expires: Nov. 19, 2016

RETURN ORIGINAL FORM TO:
KENTUCKY BAR ASSOCIATION
ATTN: MEMBERSHIP DEPARTMENT
514 W MAIN ST
FRANKFORT KY 40601-1812
Phone (502)564-3795

Revised 03/01/2012

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

| | | |
|--|---|----------------------------|
| In the Matter of: |) | |
| |) | |
| APPLICATION OF BIG RIVERS |) | CASE NO. 2012-00535 |
| ELECTRIC CORPORATION, INC. |) | |
| <u>FOR AN ADJUSTMENT OF RATES</u> |) | |

ORDER

On May 10, 2013, Joe F. Childers, an attorney licensed to practice law in the Commonwealth of Kentucky, who is representing Intervenor Sierra Club, served a motion requesting that the Commission to admit *pro hac vice* Shannon W. Fisk, an attorney whose office is in the state of Pennsylvania, to practice law before the Commission in this case on behalf of Intervenor Ben Taylor and Sierra Club. In support of the request, Mr. Fisk has shown that he is a member in good standing of another state bar and has been certified to practice before the Commission in this case by the Kentucky Bar Association under Supreme Court Rule 3.030(2). In addition, Mr. Fisk has agreed to be subject to the jurisdiction and rules of the Commission and the Kentucky Bar Association.

IT IS THEREFORE ORDERED that Shannon Fisk is admitted *pro hac vice* for the purpose of representing Intervenor Ben Taylor and Sierra Club in the above-styled proceeding provided that Joe F. Childers of Joe F. Childers & Associates, 300 Lexington Building, 201 West Short Street, Lexington, Kentucky 40507, or another member of the Kentucky Bar Association, acts as co-counsel and is present at any and all proceedings before this Commission.

By the Commission

ATTEST:

Executive Director

CERTIFICATE OF SERVICE

I certify that I mailed a copy of the foregoing Motion for Admission *Pro Hac Vice* and Proposed Order by US Mail on May 10, 2013 to the following:

Mark A Bailey, President & CEO
Big Rivers Electric Corporation
201 Third Street
Henderson, KY 42419-0024

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Joe F. Childers