



EARTHJUSTICE

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NORTHWEST ROCKY MOUNTAIN WASHINGTON, DC INTERNATIONAL

February 27, 2014

VIA COURIER

Mr. Jeff R. Derouen, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

RECEIVED

FEB 27 2014

PUBLIC SERVICE  
COMMISSION

Re: Motion for Admission *Pro Hac Vice*, Case No. 2013-00487

Dear Mr. Derouen,

Enclosed for filing are an original and ten copies of the Motion for Admission *Pro Hac Vice*, Proposed Order, and an accompanying certificate of service in Case No. 2013-00487 before the Kentucky Public Service Commission. By copy of this letter, all parties listed on the Certificate of Service have been served via US Mail and electronic mail. This filing contains no confidential information.

Sincerely,

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Jill M. Tauber  
Earthjustice  
1625 Massachusetts Avenue, NW, Suite 702  
Washington, DC 20036  
(202) 667-4500  
jtauber@earthjustice.org  
\*Not licensed to practice law in Kentucky

cc: Joe F. Childers  
Service List

Encls.

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

**In the Matter of:**

<b>APPLICATION OF KENTUCKY POWER COMPANY TO AMEND ITS DEMAND-SIDE MANAGEMENT PROGRAM AND FOR AUTHORITY TO IMPLEMENT A TARIFF TO RECOVER COSTS AND NET LOST REVENUES, AND TO RECEIVE INCENTIVES ASSOCIATED WITH THE IMPLEMENTATION OF THE PROGRAMS</b>	) ) ) ) ) ) ) )	<b>CASE NO. 2013-00487</b>
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**MOTION FOR ADMISSION *PRO HAC VICE***

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COMES the Intervenor Sierra Club, by and through counsel, and hereby moves for the admission *pro hac vice* of Jill M. Tauber as its counsel. Ms. Tauber's business address is 1625 Massachusetts Ave., NW, Suite 702, Washington DC, 20036.

Attached hereto is a copy the Kentucky Bar Association out-of-state certification form certifying that Ms. Tauber has paid the fee for admission required by SCR 3.030(2). Ms. Tauber is licensed to practice law in the District of Columbia (Member No. 974991) and the State of New York (Reg. No. 4381562), and is also admitted in the U.S. Court of Appeals for the District of Columbia Circuit (Member No. 55020). Ms. Tauber is a member in good standing in all of these jurisdictions, and is not under suspension or disbarment from any bar. Ms. Tauber has not previously sought to appear *pro hac vice* in Kentucky.

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

Dated: February 27, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe F. Childers". The signature is written in a cursive style with a large, sweeping initial "J".

---

JOE F. CHILDERS  
JOE F. CHILDERS & ASSOCIATES

300 Lexington Building  
201 West Short Street  
Lexington, Kentucky 40507  
859-253-9824  
859-258-9288 (facsimile)  
childerslaw81@gmail.com

# KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET  
FRANKFORT, KENTUCKY 40601-1812  
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FAX (502) 564-3225  
[www.kybar.org](http://www.kybar.org)

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## KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

**COURT** KY Public Service Commission

**CASE NO.** 2013-00487

**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 Jill Tauber 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 cursive script, reading "Michele Pogrotsky", is written over a horizontal line.

Michele M. Pogrotsky, Deputy Registrar

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

**In the Matter of:**

<b>APPLICATION OF KENTUCKY POWER</b>	)	
<b>COMPANY TO AMEND ITS DEMAND-SIDE</b>	)	
<b>MANAGEMENT PROGRAM AND FOR</b>	)	
<b>AUTHORITY TO IMPLEMENT A TARIFF TO</b>	)	<b>CASE NO. 2013-00487</b>
<b>RECOVER COSTS AND NET LOST REVENUES,</b>	)	
<b>AND TO RECEIVE INCENTIVES ASSOCIATED</b>	)	
<b>WITH THE IMPLEMENTATION OF THE</b>	)	
<b>PROGRAMS</b>	)	

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**ORDER**

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On February 27, 2014, Joe F. Childers, an attorney licensed to practice law in the Commonwealth of Kentucky, who is representing Intervenors Alexander DeSha and Sierra Club, moved the Commission to admit *pro hac vice* Jill M. Tauber, an attorney whose office is in the District of Columbia, to practice law before the Commission in this case on behalf of Intervenor Sierra Club. In support of the request, Ms. Tauber has shown that she 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, Ms. Tauber has agreed to be subject to the jurisdiction and rules of the Commission and the Kentucky Bar Association.

IT IS THEREFORE ORDERED that Jill M. Tauber is admitted *pro hac vice* for the purpose of representing Intervenor 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, KY 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:

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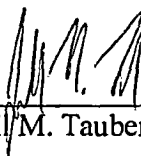
Executive Director

## CERTIFICATE OF SERVICE

I certify that I have filed with the Commission and served via U.S. Mail and electronic mail the foregoing **Motion for Admission *Pro Hac Vice* and Proposed Order** for the Commission on February 27, 2014 to the following:

Mark R. Overstreet  
Attorney at Law  
Stites & Harbison  
421 West Main Street  
P. O. Box 634  
Frankfort, KY 40602-0634

Lila P. Munsey  
Managing, Regulatory Services  
Kentucky Power Company  
101 A Enterprise Drive  
Frankfort, KY 40601

  
\_\_\_\_\_  
Jill M. Tauber