

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

Application of Kentucky Power Company for Approval of )  
its Environmental Compliance Plan, Approval of its Amended )  
Environmental Cost Recovery Surcharge Tariffs, and for the ) CASE NO. 2011-00401  
Grant of Certificates of Public Convenience and Necessity )  
for the Construction and Acquisition of Related Facilities )

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MOTION TO ADMIT PRO HAC VICE BY SIERRA CLUB

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COMES NOW Intervenor Sierra Club, by and through counsel, hereby seeks to have admitted to practice law in Kentucky, for the limited purpose of this matter, Hon. Kristin Henry, Counsel for Sierra Club, 85 2<sup>nd</sup> Street Floor 2, San Francisco, CA 94105. Mrs. Henry is a member in good standing of the State Bar of California (CA Bar No. 220908).

Attached please find an approved Kentucky Bar Association (KBA) out-of-state counsel certification form confirming payment of \$100, pursuant to Kentucky Supreme Court Rule 3.030, as well as a proposed order for the Commission.

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

Respectfully submitted,

Dated: February 3, 2012



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Joe Childers, Esq.  
Joe F. Childers & Associates  
300 Lexington Building  
201 West Short Street  
Lexington, Kentucky 40507  
859-253-9824  
859-258-9288 (facsimile)

Of counsel:

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Staff Attorney  
Sierra Club  
85 Second Street  
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PUBLIC SERVICE  
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**CERTIFICATE OF SERVICE**

I hereby certify that I delivered a copy of the following documents by e-mail and by first class mail on February 3, 2012 to the parties listed below:

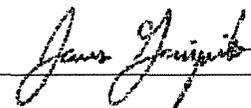
- Motion to Admit Kristin Henry *Pro Hac Vice*
- KY Bar Association Out-Of-State Certification Form
- Proposed Order for the Commission

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# KENTUCKY BAR ASSOCIATION

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

COURT Kentucky Public Service Commission

CASE NO. 2011-00401

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 \$100.00 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 Kristin Henry has paid the per case fee of \$100.00 in the above referenced case as required in SCR 3.030(2).

A handwritten signature in cursive script, reading 'Michele M. Pogrotsky', written over a horizontal line.

Michele M. Pogrotsky, Deputy Registrar

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Application of Kentucky Power Company for )  
Approval of its Environmental Compliance Plan, )  
Approval of its Amended Environmental Cost )  
Recovery Surcharge Tariffs, and for the Grant of ) CASE NO. 2011-00401  
Certificates of Public Convenience and Necessity )  
for the Construction and Acquisition of Related )  
Facilities )

ORDER

On February 2, 2012, Joe F. Childers, an attorney licensed to practice law in the Commonwealth of Kentucky, who is representing Intervenor Sierra Club, moved the Commission to admit *pro hac vice* Kristin Henry, an attorney whose office is in the state of California, to practice law before the Commission on behalf of Intervenor Tom Vierheller, Beverly May, and Sierra Club, in this case. In support of the request, Kristin Henry 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, Kristin Henry has agreed to be subject to the jurisdiction and rules of the Commission and the Kentucky Bar Association.

IT IS THEREFORE ORDERED that Kristin Henry is admitted *pro hac vice* for the purpose of representing Intervenor Tom Vierheller, Beverly May, and Sierra Club in the above-styled proceeding provided that Joe F. Childers, 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