

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY POWER COMPANY FOR )  
(1) A GENERAL ADJUSTMENT OF IT'S RATES FOR ELECTRIC )  
SERVICE; (2) AN ORDER APPROVING ITS 2014 )  
ENVIRONMENTAL COMPLIANCE PLAN; (3) AN ORDER )  
APPROVING ITS TARIFFS AND RIDERS; AND (4) AN )  
ORDER GRANTING ALL OTHER REQUIRED APPROVALS )  
AND RELIEF )

Case No. 2014-00396

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**MOTION TO ADMIT *PRO HAC VICE***  
**BY WAL-MART STORES EAST, LP, AND SAM'S EAST, INC.**

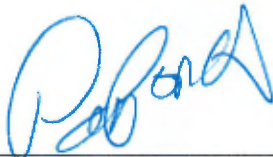
COMES NOW Intervenor Wal-Mart Stores East, LP, and Sam's East, Inc. ("Walmart"), by and through counsel, hereby seeks to have admitted to practice law in Kentucky, for the limited purpose of this matter, Barry A. Naum, Counsel for Walmart, whose business address is 1100 Bent Creek Boulevard, Suite 101, Mechanicsburg, PA 17050. Mr. Naum is a member in good standing of the State Bar of Pennsylvania (Bar No. 204869).

Attached please find an approved Kentucky Bar Association Out-of-State Counsel Certification form confirming payment of \$270.00, 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 Mr. Naum to appear *Pro Hac Vice* in this case.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By   
Don C. A. Parker (Kentucky I.D. No. 94113)  
Spilman Thomas & Battle, PLLC  
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Counsel to Wal-Mart Stores East, LP, and Sam's East, Inc.

Dated: April 20, 2015

# KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET  
FRANKFORT, KENTUCKY 40601-1812

(502) 564-3795

FAX (502) 564-3225

[www.kybar.org](http://www.kybar.org)

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

COURT Kentucky Public Service Commission

CASE NO. 2014-00396

### 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 Barry Alan Naum has paid the per-case fee of \$270.00 on April 16, 2015 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

L

Custom Forms: Pro Hac Certification Request

Submission Number 6072208

Permalink <http://www.kybar.org/forms/FormResponseView.asp?id=B2944C18-A330-4CCF-A77D-4F52!>

Date/Time Submitted 4/16/2015 9:48:47 AM

Last Modified 4/16/2015 9:48:47 AM

Archive?  Yes  No

Approve?  Yes  No

Administrative Comments

Save Cancel

 Edit Submitted Form Data  Delete this Submission

First Name *	Barry Alan	Last Name *	Naum
Date of Birth *	10/26/1973		
Address Line 1 *	1100 Bent Creek Blvd, Suite 101		
Address Line 2			
City *	Mechanicsburg		
State *	PA	Zip/Postal Code *	17050
Business Phone *	717-795-2742		
Email Address	bnaum@spilmanlaw.com		
State/Member # *	PA 204859		
<u>Kentucky Court *</u>	Kentucky Public Service Commission		
<u>Case Number *</u>	2014-00396		
Kentucky Co-Counsel *	Don C A Parker	✓ 4-26-11	
Kentucky Co-Counsel Bar#	94113		
Yes/No *	No		

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Agree *	Yes
Certification *	Yes

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**ORDER**

On April 20, 2015, Don C. A. Parker, an attorney licensed to practice law in the Commonwealth of Kentucky, who is representing Intervenor Walmart, moved the Commission to admit *Pro Hac Vice* Barry A. Naum, an attorney licensed in the state of Pennsylvania, to practice law before the Commission in this case on behalf of Intervenor Walmart. In support of this request, Mr. Naum 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. Naum has agreed to be subject to the jurisdiction and rules of the Commission and the Kentucky Bar Association.

IT IS THEREFORE ORDERED that Barry A. Naum is admitted *Pro Hac Vice* for the purpose of representing Intervenor Walmart, in the above proceeding provided that Don C. A. Parker, Spilman Thomas & Battle, 300 Kanawha Boulevard, East, Charleston, WV 25301, 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

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**WAL-MART STORES EAST, LP, AND SAM'S EAST, INC.'S**  
**NOTICE OF ENTRY OF APPEARANCE**  
**OF ADDITIONAL COUNSEL**

Notice is hereby given that, in the above matter, Barry A. Naum of Spilman Thomas & Battle, PLLC, is hereby added as additional counsel for Wal-Mart Stores East, LP, and Sam's East, Inc.<sup>1</sup>

Please modify the service list to include Mr. Naum as counsel for this party, and please serve copies of all future pleadings and other documents related to this matter to her attention as well.

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<sup>1</sup> This Notice is being simultaneously filed with a Motion to Appear Pro Hac Vice for Mr. Naum.



**WHEREFORE**, Walmart submits this Notice.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By



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Counsel to Wal-Mart Stores East, LP, and Sam's East, Inc.

Dated: April 20, 2015

## CERTIFICATE OF SERVICE

I hereby certify that Walmart's April 20, 2015, electronic filing is a true and accurate copy of Wal-Mart Stores East, LP, and Sam's East, Inc.'s ("Walmart's") Motion to Admit Barry A. Naum *Pro Hac Vice* and Notice of Entry of Appearance of Additional Counsel to be filed in paper medium; and that on April 20, 2015, the electronic filing has been transmitted to the Commission, and that an original and one copy of the filing will be delivered to the Commission, that no participants have been excused from electronic filing at this time, and electronic mail notification of the electronic filing is provided to the following:

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Don C. A. Parker (Kentucky I.D. No. 94113)