

# 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

NOV 13 2013

PUBLIC SERVICE  
COMMISSION

November 11, 2013

Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40601

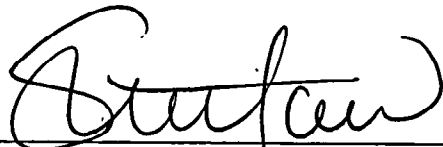
*Re: In the Matter of Application of East Kentucky Power Cooperative, Inc.  
Case #: 2013-00259*

Dear Sir/Madam:

Please find enclosed two (2) original and twenty-two (22) copies of two (2) separate Motions for Admission *Pro Hac Vice* for Shannon Fisk and Matther E. Gerhart regarding the above-mentioned matter. At your earliest convenience, please file the Motions with the Commission and send back a stamped copy in the enclosed pre-addressed envelope.

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

Sincerely,



SHUO HAN

*Enclosures*

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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NOV 13 2013

PUBLIC SERVICE  
COMMISSION

In the Matter of:

AN APPLICATION OF EAST KENTUCKY )  
POWER COOPERATIVE, INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY FOR ALTERATION OF )  
CERTAIN EQUIPMENT AT THE COOPER )  
STATION AND APPROVAL OF A COMPLIANCE )  
PLAN AMENDMENT FOR ENVIRONMENTAL )  
SURCHARGE COST RECOVERY )

CASE NO. 2013-00259

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MOTION FOR ADMISSION *PRO HAC VICE*

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COME the Intervenors Sonia McElroy and Sierra Club (collectively "Intervenors"), by and through counsel, and hereby move for the admission *pro hac vice* of Matthew E. Gerhart as counsel for said Intervenors. Mr. Gerhart's business address is 705 Second Avenue, Suite 203, Seattle, WA 98104.

Attached hereto as Exhibit A is the Kentucky Bar Association out-of-state certification form certifying that Mr. Gerhart has paid the fee for admission required by SCR 3.030(2). Mr. Gerhart is a member in good standing of the State Bar of Washington (WA Bar No. 42787) and the State Bar of California (CA Bar No. 261401), and is not under suspension or disbarment from any bar. Furthermore, Mr. Gerhart has not been previously admitted to practice before this Commission.

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

Dated: November 11, 2013

Respectfully submitted,



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

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

AN APPLICATION OF EAST KENTUCKY )  
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ORDER

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On November 11, 2013, 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* Matthew E. Gerhart, an attorney whose office is in the state of Washington, to practice law before the Commission in this case on behalf of Intervenors Sonia McElroy and Sierra Club. In support of the request, Mr. Gerhart 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. Gerhart has agreed to be subject to the jurisdiction and rules of the Commission and the Kentucky Bar Association.

IT IS THEREFORE ORDERED that Matthew Gerhart is admitted *pro hac vice* for the purpose of representing Intervenors Sonia McElroy 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, 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:

\_\_\_\_\_  
Executive Director


## CERTIFICATE OF SERVICE

I certify that I had filed with the Commission and served via U.S. Mail and electronic mail the foregoing Motion for Admission Pro Hac Vice, Proposed Order for the Commission, and Kentucky Bar Association Out-of-State Certification Form, on November 11, 2013 to the following:

Mark David Goss  
Goss Samford, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, KY 40504

Patrick Woods  
East Kentucky Power Cooperative, Inc.  
4775 Lexington Road  
P. O. Box 707  
Winchester, KY 40392-0707

Michael L. Kurtz  
Kurt J. Boehm  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, OH 45202

  
\_\_\_\_\_  
Joe F. Childers, Esq.

# 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 Public Service Commission

CASE NO. 2013-00259

### 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 Matthew Gerhart 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 that reads 'michele m. pogrotsky'.

Michele M. Pogrotsky, Deputy Registrar

# Kentucky Bar Association (<http://kybar.org/>)

## Application Information

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Submission Id 5968347c-fc9f-4457-beaf-ea57655ca4dd

Payment Transaction ID 2078338

Completion Date 11/5/2013 5:51:09 PM

## Information Page

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### Requestor Information

First Name Matthew

Last Name Gerhart ✓

Date Of Birth 12/31/1977

Address Line 1 705 2nd Ave # 203

Address Line 2

Address Line 3

City Seattle

State WA

Zip 98104

Fax 212-918-1556

Home Phone Number

Business Phone Number 206-343-7340

Email Address mgerhart@earthjustice.org

### Request Out of State Certificate

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#### State Bars of which you are a member in good standing

State	Member Number
WA	42787

### Request Out of State Certificate

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### Certificate Information



Kentucky Court **Other**

Case Number **2013-00259**

Kentucky Co-Counsel **Joe F. Childers** 10/5/1981

Kentucky Co-Counsel Bar Number **11850**

Since January 1, 2005, have you practiced a case in Kentucky under SCR 3.030? **No**

**KY Court**

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You selected Other for KY Court, please list the court here **Public Service Commission**

**SCR 3.030**

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I certify **True**

**Electronic Signature**

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I certify 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. **Matthew Gerhart**