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May 27, 2022

Via Electronic Filing
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. R-2022-3031211, Columbia Gas of Pennsylvania Supplement No. 337 to
Tariff Gas – Pa. P.U.C. No. 9**

Dear Secretary Chiavetta:

Enclosed please find a **Motion to Admit Counsel *Pro Hac Vice*** for John Heer, Fair Shake Environmental Legal Services, who is co-counsel for Natural Resources Defense Council (NRDC) for filing in the above-referenced proceeding. Parties are being served a copy of the enclosed filing as set forth in the attached certificate of service.

Please contact me if you have any questions concerning this matter. I can be reached at (234) 255-5455.

Sincerely,

/s/ Andrew J. Karas
Andrew J. Karas, Esq.
Counsel for NRDC

cc: Per certificate of service, Mark Szybist, Esq., John Heer, Esq., and Jennifer Clark, Esq., Counsel for NRDC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Columbia Gas of Pennsylvania :
Supplement No. 337 to Tariff Gas – Pa. : Docket No. R-2022-3031211
P.U.C. No. 9 :

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Motion to Admit Counsel *Pro Hac Vice* upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

Via Electronic Mail only:

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Dated: May 26, 2022

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/s/ Andrew J. Karas
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Fax: (412) 291-1197
Counsel for Natural Resources Defense Council

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Columbia Gas of Pennsylvania :
Supplement No. 337 to Tariff Gas – Pa. : Docket No. R-2022-3031211
P.U.C. No. 9 :

MOTION TO ADMIT COUNSEL *PRO HAC VICE*

Natural Resources Defense Council (hereinafter, “NRDC”) makes this Motion, pursuant to 52 Pa. Code § 1.22(b), to admit John A. Heer, Esquire to appear *pro hac vice* in this matter. In support of this Motion, NRDC states as follows:

1. The procedural rules of the Pennsylvania Utility Commission (hereinafter, “the Commission” or “the PUC”) allow an “attorney not licensed in the Commonwealth” to appear before the Commission - sometimes known as *pro hac vice* representation - “in accordance with the Pennsylvania Bar Admission Rules.” 52 Pa. Code § 1.22(b).
2. The Pennsylvania Bar Admission Rules for *pro hac vice* admission are found at Pennsylvania Rules of Civil Procedure § 1012.1 and 204 Pa. Code § 81.501 et seq. In broad terms, these rules require that both the “Candidate” (in this case, Mr. Heer) and a “Sponsor” (in this case, Andrew J. Karas) provide verified statements in support of a Motion to Admit *Pro Hac Vice*.
3. The requisite verified statements are attached to this Motion.
4. As the Candidate, Mr. Heer’s verified statement states that:
 - He is licensed to practice law in the state of Ohio (#0055309), and that he has never been suspended, disbarred, or otherwise disciplined by any jurisdiction in which he holds or has held a license to practice law, and

that he is not currently the subject of disciplinary proceedings in any such jurisdiction.

- In his representation before the Pennsylvania Public Utility Commission, he shall comply with and be bound by the applicable statutes, case law, and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.
- He shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during the appearance in the matter for which admission *pro hac vice* is sought.
- He consents to the appointment of his sponsor (Andrew J. Karas, Esq.) as the agent upon whom service of process shall be made for all actions, including disciplinary actions, that may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

5. As the sponsor, Mr. Karas' verified statement states that:

- He is acting as sponsor for the *pro hac vice* admission of John A. Heer to appear before the Pennsylvania Public Utility Commission in this matter and admitted to the Bar in the Commonwealth of Pennsylvania (Pa. Bar Id. 321231).
- He has known Mr. Heer professionally for more than 2 years, having practiced law with him for that time in the same firm, Fair Shake Environmental Legal Services. He has had sufficient opportunity to conduct a reasonable investigation regarding Mr. Heer and can state that

he is a reputable and competent attorney. He is in a position to recommend Mr. Heer's admission *pro hac vice*. Mr. Heer has been a practicing attorney for more than 30 years.

6. NRDC believes and therefore avers that *pro hac vice* appearance before the Pennsylvania Public Utility Commission is the equivalent to appearance before a special court, and that no fee paid to the IOLTA Board is therefore required for Mr. Heer to appear *pro hac vice* before the Commission. *See* 204 Pa. Code 204 Pa. Code § 81.505(c).
7. Mr. Karas and Mr. Szybist will remain NRDC's attorneys of record in this matter. In his role as *pro hac vice* counsel, Mr. Heer will appear and participate at hearings and on any briefs, but will not act as attorney of record. Mr. Heer consents to service by exclusively by email of any documents pursuant to 52 Pa. Code § 1.54(b)(3).
8. The statements set forth above comprehensively comply with the Pennsylvania Bar Admission Rules for *pro hac vice* admission as set forth at Pennsylvania Rules of Civil Procedure § 1012.1 and 204 Pa. Code § 81.501 et seq.

NRDC therefore respectfully requests that its Motion to Admit John A. Heer to appear as counsel for NRDC, *pro hac vice*, in this matter be granted.

DATED: May 27, 2022

Respectfully submitted,

/s/ Andrew J. Karas
Mark Szybist, Esq. (Pennsylvania Bar Id. 94112)
Natural Resources Defense Council
1152 15th Street NW, Suite 300

Washington, DC 20005
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Counsel for Natural Resources Defense Council

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PRO HAC VICE ADMISSION OF JOHN A. HEER
VERIFIED STATEMENT OF ANDREW J. KARAS (SPONSOR)**

1. I am acting as sponsor for the *pro hac vice* admission of John A. Heer to appear before the Pennsylvania Public Utility Commission in this matter.
2. I have entered my appearance as counsel for Natural Resources Defense Council (“NRDC”) in this proceeding and am an active member of the Bar of the Commonwealth of Pennsylvania (Pa. Bar Id. 321231).
3. I have known Mr. Heer professionally for more than 2 years, having practiced law with him for that time in the same firm, Fair Shake Environmental Legal Services. I have had sufficient opportunity to conduct a reasonable investigation regarding Mr. Heer and can state that he is a reputable and competent attorney. I am in a position to recommend Mr. Heer's admission *pro hac vice*. Mr. Heer has more than 30 years of legal practice experience.
4. Other than the case listed in the accompanying Motion, I am not currently acting as the sponsor for any *pro hac vice* candidates in any proceeding in Pennsylvania.
5. To the extent that the proceeds from any settlement in this matter is received by NRDC, those proceeds will be received, held, distributed, and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including the IOLTA provisions thereof, if applicable.
6. I shall remain an attorney of record in this case, as required by the Pennsylvania Rules of Civil Procedure.

7. I, Andrew J. Karas, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter if required to do so. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

DATED: May 27, 2022

/s/ Andrew J. Karas

Andrew J. Karas

Pa. Bar Id. 321231

Fair Shake Environmental Legal Services

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Counsel for Natural Resources Defense Council

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERIFIED STATEMENT OF JOHN A. HEER
FOR ADMISSION PRO HAC VICE

1. Andrew J. Karas, a member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 321231), is moving for my admission *pro hac vice* before the Pennsylvania Public Utility Commission in this matter. I consent to this appointment of my sponsor, Andrew J. Karas, and, in support of the Motion, I submit this verified statement pursuant to Pennsylvania Rules of Civil Procedure § 1012.1.
2. I am admitted to practice and have been a member in good standing in the Ohio State Bar since 1991. My Ohio attorney identification number is 0055309.
3. I have never been suspended, disbarred, or otherwise disciplined nor am I currently the subject of any disciplinary proceeding in any state or jurisdiction.
4. I have not previously applied for admission *pro hac vice* before any court of record in Pennsylvania.
5. I shall comply with and be bound by the applicable statutes, case law, and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.
6. I shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during my appearance in the matter for which *pro hac vice* is being sought.
7. I consent to the appointment of the sponsoring attorney, Andrew J. Karas, as the agent upon whom service of process shall be made for all actions, including

disciplinary actions, that may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

8. I, John A. Heer, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter if required to do so. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

DATED: May 27, 2022

/s/ John A. Heer

John A. Heer

Ohio Bar #0055309

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