

Environmental Defense Fund
128 Winding Brook Lane
Terrace Park, Ohio 45174

October 13, 2015

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17015-3265

Re: Petition of Philadelphia Gas Works for Waiver of Provisions of Act 11 to Increase the
Distribution System Improvement Charge Cap and to Permit Levelization of DISC
Charges, Docket No. P-2015-2501500

Dear Secretary Chiavetta:

Enclosed, please find an original copy of Environmental Defense Fund's Motion for
Admission *Pro Hac Vice* and Notice of Appearance in the above-captioned matter.

Copies are being served in accordance with the attached Certificate of Service.

Sincerely,


Heather Langeland

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for	:	
Waiver of Provisions of Act 11 to Increase	:	
the Distribution System Improvement	:	Docket No. P-2015-2501500
Charge Cap and to Permit Levelization	:	
of DISC Charges	:	

MOTION FOR ADMISSION *PRO HAC VICE*

Pursuant to Rule 5.103 of the rules of Administrative Practice and Procedure of the Pennsylvania Public Utility Commission and Rule 301(b) of the Pennsylvania Bar Admission Rules, Counsel of Record for Environmental Defense Fund (EDF), Heather Langeland, respectfully requests the Presiding Administrative Law Judge to enter an Order granting admission *pro hac vice* to Michael Panfil and John Finnigan as counsel for Environmental Defense Fund (“EDF”) for all purposes in relations to these proceedings. In support of this Motion, the Movant, Heather Langeland, avers as follows:

1. I am an active member of the Pennsylvania Bar (Attorney No. 207387) and an inactive member of the West Virginia Bar (Attorney No. 9938). Pursuant to PUC Rule 1.24, I have entered my appearance as counsel of record for EDF in this proceeding.

2. Michael Panfil is an attorney employed by EDF and is located at EDF’s office at 1875 Connecticut Ave., NW, Suite 600, Washington, DC 20009. He is a graduate of Columbia Law School. He was admitted to practice law in the State of New York in 2012 and is currently on active status and is in good standing (Attorney # 5065800). Mr. Panfil has experience with proceedings before state utility commissions in Pennsylvania, New York, New Jersey, Illinois

and California. Mr. Panfil has never been suspended, disbarred or been the subject of disciplinary proceedings in Pennsylvania or any other state.

3. Mr. Panfil has been granted permission to appear *pro hac vice* in the PECO general rate case (Docket No R-2015-2468981) and the PPL general rate case (Docket No. R-2015-2469275). He was granted permission to appear in general rate cases filed by the four electric distribution utility operating companies of FirstEnergy: West Penn Power Company (Docket No. R-2014-2428742), Pennsylvania Electric Company (Docket No. R-2014-2428743), Pennsylvania Power Company (Docket No. R-2014-2428744) and Metropolitan Electric Company (Docket No. R-2014-2428745). Otherwise, he has not sought permission to appear *pro hac vice* in any other judicial or administrative proceeding in the state of Pennsylvania.

4. Mr. Panfil agrees to be bound by and comply with applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania, the Pennsylvania Rules of Professional Conduct and the Rules of this Commission. Mr. Panfil agrees to submit to the jurisdiction of the Pennsylvania Courts and Pennsylvania Disciplinary Board with respect to acts and omissions occurring during his appearance in this matter.

5. Mr. Panfil has consented to the appointment of Heather Langeland as his sponsor, who has filed her notice of appearance in this matter and who will remain counsel of record on behalf of EDF.

6. John Finnigan is an attorney employed by EDF and is located at 128 Winding Brook Lane, Terrace Park, Ohio 45174. He is a graduate of the University of Cincinnati College of Law. He was admitted to practice law in the State of Ohio in 1979 and is currently on active status and is in good standing (Attorney # 0018689). He was admitted to practice law in the Commonwealth of Kentucky in 1986 and is currently on active status and is in good standing

(Attorney # 86657). Mr. Finnigan has experience with proceedings before state utility commissions in Pennsylvania, Ohio, Kentucky, Indiana and North Carolina. Mr. Finnigan has never been suspended, disbarred or been the subject of disciplinary proceedings in Pennsylvania or any other state.

7. Mr. Finnigan has been granted permission to appear *pro hac vice* in the PECO general rate case (Docket No R-2015-2468981) and the PPL general rate case (Docket No. R-2015-2469275). He was granted permission to appear in general rate cases filed by the four electric distribution utility operating companies of FirstEnergy: West Penn Power Company (Docket No. R-2014-2428742), Pennsylvania Electric Company (Docket No. R-2014-2428743), Pennsylvania Power Company (Docket No. R-2014-2428744) and Metropolitan Electric Company (Docket No. R-2014-2428745). Otherwise, he has not sought permission to appear *pro hac vice* in any other judicial or administrative proceeding in the state of Pennsylvania.

8. Mr. Finnigan agrees to be bound by and comply with applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania, the Pennsylvania Rules of Professional Conduct and the Rules of this Commission. Mr. Finnigan agrees to submit to the jurisdiction of the Pennsylvania Courts and Pennsylvania Disciplinary Board with respect to acts and omissions occurring during his appearance in this matter.

9. Mr. Finnigan has consented to the appointment of Heather Langeland as his sponsor, who has filed her notice of appearance in this matter and who will remain counsel of record on behalf of EDF.

WHEREFORE, Heather Langeland, Movant and Counsel of Record for EDF, respectfully moves for the admission of Michael Panfil and John Finnigan to appear in this matter *pro hac vice* for EDF for all permissible purposes in relation to these proceedings.

Date: October 13, 2015

/s/ Heather M. Langeland

Heather M. Langeland
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Pittsburgh, PA 15222
Phone: 412-456-2901
Fax: 412-258-6685
langeland@pennfuture.org

Counsel for Environmental Defense Fund

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for	:	
Waiver of Provisions of Act 11 to Increase	:	
the Distribution System Improvement	:	Docket No. P-2015-2501500
Charge Cap and to Permit Levelization	:	
of DISC Charges	:	

**SPONSOR'S VERIFIED STATEMENT IN SUPPORT OF MOTION FOR ADMISSION
PRO HAC VICE**

I, Heather M. Langeland, state the following:

1. After reasonable investigation, I reasonably believe that Michael Panfil and John Finnigan are responsible and competent attorneys. Accordingly, I am in a position to recommend their admission *pro hac vice* in the above-captioned matter.
2. I am not acting as a sponsor in any other open cases.
3. Any proceeds from the settlement of a cause of action in which the candidates are granted admission *pro hac vice* shall 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.
4. I shall remain the attorney of record for this case, as required by the Rules of Civil Procedure.
5. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. §4904 (relating to falsifications to authorities).

Date: October 13, 2015

/s/ Heather M. Langeland

Heather M. Langeland
Pa. Bar Id. No. 207387
200 First Avenue, Suite 200
Pittsburgh, PA 15222
Phone: 412-456-2901
Fax: 412-258-6685
langeland@pennfuture.org

Counsel for Environmental Defense Fund

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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VERIFIED STATEMENT OF MICHAEL PANFIL FOR ADMISSION PRO HAC VICE

Pursuant to 52 Pa. Code §§1.22(b) and 5.103 and Pa. Rule of Civil Procedure 1012.1, Heather Langeland, Esq., a member of the bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 207387), is moving for my admission *pro hac vice* in the above-captioned proceeding. In support of said sponsor's motion, I, the candidate, Michael Panfil, submit this verified statement:

1. I am admitted to practice in and am a member in good standing of the bar of New York (ID No. 5065800), having been admitted in 2012. I have never been suspended, disbarred, or otherwise disciplined nor am I currently the subject of any disciplinary proceeding.
2. I was granted permission to appear *pro hac vice* in the PECO general rate case (Docket No R-2015-2468981) and the PPL general rate case (Docket No. R-2015-2469275). I was granted permission to appear in general rate cases filed by the four electric distribution utility operating companies of FirstEnergy: West Penn Power Company (Docket No. R-2014-2428742), Pennsylvania Electric Company (Docket No. R-2014-2428743), Pennsylvania Power Company (Docket No. R-2014-2428744) and Metropolitan Electric Company (Docket No. R-2014-2428745). Otherwise, I have not sought permission to appear *pro hac vice* in any other judicial or administrative proceeding in the state of Pennsylvania.

3. 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.
4. I 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 being sought.
5. I consent to the appointment of the sponsoring attorney, Heather Langeland, 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.
6. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. §4904 (relating to falsifications to authorities).

/s/ Michael Panfil

Michael Panfil
1875 Connecticut Ave., NW
Suite 600
Washington, DC 20009.
(202) 572-3280
mpanfil@edf.org

Date: October 13, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for	:	
Waiver of Provisions of Act 11 to Increase	:	
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Charge Cap and to Permit Levelization	:	
of DISC Charges	:	

VERIFIED STATEMENT OF JOHN FINNIGAN FOR ADMISSION PRO HAC VICE

Pursuant to 52 Pa. Code §§1.22(b) and 5.103 and Pa. Rule of Civil Procedure 1012.1, Heather Langeland, Esq., a member of the bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 207387), is moving for my admission *pro hac vice* in the above-captioned proceeding. In support of said sponsor's motion, I, the candidate, John Finnigan, submit this verified statement:

1. I am admitted to practice in and am a member in good standing of the bar of Ohio (ID No. 0018689) and Kentucky (ID No. 86657), having been admitted in 1979 and 1986 respectively. I have never been suspended, disbarred, or otherwise disciplined nor am I currently the subject of any disciplinary proceeding.
2. I was granted permission to appear *pro hac vice* in the PECO general rate case (Docket No R-2015-2468981) and the PPL general rate case (Docket No. R-2015-2469275). I was granted permission to appear in general rate cases filed by the four electric distribution utility operating companies of FirstEnergy: West Penn Power Company (Docket No. R-2014-2428742), Pennsylvania Electric Company (Docket No. R-2014-2428743), Pennsylvania Power Company (Docket No. R-2014-2428744) and Metropolitan Electric Company (Docket No. R-2014-2428745). Otherwise, I have not sought permission to appear *pro hac vice* in any other judicial or administrative proceeding in the state of Pennsylvania.

3. 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.
4. I 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 being sought.
5. I consent to the appointment of the sponsoring attorney, Heather Langeland, 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.
6. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. §4904 (relating to falsifications to authorities).

/s/ John Finnigan

John Finnigan
128 Winding Brook Lane
Terrace Park, Ohio 45174
(513) 226-9558
jfinnigan@edf.org

Date: October 13, 2015

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2015, I served a true copy of the foregoing document upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), via email and first class mail, upon the persons listed below:



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