**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, *et al.* : R-2016-2537349, *et al*.

:

v. :

 :

Metropolitan Edison Company :

**ORDER GRANTING ADMISSION PRO HAC VICE**

 On June 30, 2016, George Jugovic, Jr, Esquire, a member of the Bar of the Supreme Court of Pennsylvania (Attorney ID No. 39586), filed a Motion For Admission *Pro Hac Vice*, requesting that John Finnigan Esquire, Environmental Defense Fund, 128 Winding Brook Lan, Terrace Park, Ohio, 45174, be permitted to appear on behalf of the Environmental Defense Fund in the above-captioned case, pursuant to 52 Pa. Code §§ 1.22(b) and 5.103 and Pa. B.A.R. 301.

 Attorney Jugovic represented that Attorney Finnigan is a member in good standing of the bars of Ohio and Kentucky. He represented that Mr. Finnigan was admitted initially in Ohio in 1979, and he has been actively involved in numerous regulatory proceedings in several state utility commissions including Pennsylvania, Ohio, Kentucky, Indiana, New York and North Carolina. Attorney Finnigan’s verification was attached to the Motion.

 Attorney Finnigan also notes that he has been granted permission to appear in several Commission dockets including the 2014 base rate proceedings of the First Energy companies, as well as the base rate proceedings for PECO Energy Company, PPL, PGW and the 2015 First Energy companies’ DSIC petitions. While this participation lends itself to the conclusion that Attorney Finnigan has become familiar with the procedural rules of the Commission, it also calls into question the continued propriety of granting Attorney Finnigan *pro hac vice* admission. Pennsylvania Bar Rule 103, provides that an out-of-state attorney may be “*specially* admitted to the bar of this Commonwealth for purposes *limited to a particular case*.”[[1]](#footnote-1) The rule is not intended to permit a practitioner who intends to practice in the Commonwealth on a regular basis to avoid admission to the Pennsylvania Bar. Indeed, the Pennsylvania Rules of Civil Procedure note that a court may deny a motion for admission *pro hac vice* where “the candidate is, in effect, practicing as a Pennsylvania attorney, in light of the nature and extent of the activities of the candidate in the Commonwealth . . . .”[[2]](#footnote-2) While I will grant the petition to allow Attorney Finnigan’s admission *pro hac vice* in this matter, he is strongly urged to seek admission to the Pennsylvania Bar, and on notice that future petitions may not be granted.

THEREFORE,

IT IS ORDERED:

1. John Finnigan, Esquire, is admitted *Pro Hac Vice* in the above-captioned case to appear as an attorney on behalf of the Environmental Defense Fund.

2. That in accordance with the provisions of Pa. B.A.R. 301(a) and Pa. R.C.P. 1012.1(d)(1), George Jugovic, Jr. Esquire, shall remain attorney of record for the Environmental Defense Fund, and shall be present at all proceedings attended by the Environmental Defense Fund.

Date: July 13, 2016

 Mary D. Long

 Administrative Law Judge

**R-2016-2537349 - PA PUBLIC UTILITY COMMISSION v. METROPOLITAN EDISON COMPANYR-2016-2537352 - PA PUBLIC UTILITY COMMISSION v. PENNSYLVANIA ELECTRIC COMPANY R-2016-2537355 - PA PUBLIC UTILITY COMMISSION v. PENNSYLVANIA POWER COMPANY**

**R-2016-2537359 - PA PUBLIC UTILITY COMMISSION v. WEST PENN POWER COMPANY**

**Revised 7-7-2016**

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1. Pa. B.A.R. 301 (emphasis added). [↑](#footnote-ref-1)
2. Pa.R.C.P. No. 1012.1(e), note (5). [↑](#footnote-ref-2)