**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**

TORI L GIESLER ESQUIREFIRSTENERGY2800 POTTSVILLE PIKEPO BOX 16001READING PA 19612-6001**610.921.6658**

*Accepts E-service*

*Representing Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company* THOMAS P GADSDEN ESQUIREANTHONY C DECUSATIS ESQUIRECATHERINE G VASUDEVAN ESQUIREBROOKE E MCGLINN ESQUIREMORGAN LEWIS & BOCKIUS LLP1701 MARKET STREETPHILADELPHIA PA 19103-2921**215.963.5034**

*Accept E-service*

*Representing Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company*

DARRYL A LAWRENCE ESQUIRE\*LAUREN M BURGE ESQUIREDAVID T EVRARD ESQUIRECANDIS A TUNILO ESQUIRE

5TH FLOOR FORUM PLACE555 WALNUT STREETHARRISBURG PA 17101-1923**717.783.5048**

*Accepts E-service*

*Representing Office of Consumer Advocate*

**C-2016-2543247 -** *Metropolitan Edison Company*

**C-2016-2543266** *- Pennsylvania Electric Company***C-2016-2543268 -** *Pennsylvania Power Company*

**C-2016-2543315 -** *West Penn Power Company*

DANIEL G ASMUS ESQUIRE300 NORTH SECOND STREET SUITE 202HARRISBURG PA 17101**717.783.2525**

*Representing Office of Small Business Advocate*

**C-2016-2544355 -** *Metropolitan Edison Company*

**C-2016-2544356 -** *Pennsylvania Electric Company***C-2016-2544358 -** *Pennsylvania Power Company*

**C-2016-2544359 -** *West Penn Power Company*

JONATHAN P FOSTER SR ESQUIRE

FOSTER LAW OFFICE

303 S KEYSTONE AVE

SAYRE PA 18840

**570.888.1529**

*Representing Borough of Athens, Borough of South Waverly and Borough Sayre*

**C-2016-2552366** - *Pennsylvania Electric Company*

**C-2016-2552369** -*Pennsylvania Electric Company*

**C-2016-2553194** *Pennsylvania Electric Company*

ALLISON C KASTER ESQUIREGINA L LAUFFER ESQUIRE

PA PUBLIC UTILITY COMMISSION

BUREAU OF INVESTIGATION AND ENFORCEMENTPO BOX 3265

HARRISBURG PA 17105-3266**717.783.7998**

**717.783.8754**

*Accepts E-service*

*Representing PUC Bureau of Investigation and Enforcement*

JOSEPH OTIS MINOTT ESQUIRELOGAN WELDE ESQUIRE

CLEAN AIR COUNCIL135 S 19TH STREETSUITE 300PHILADELPHIA PA 19103**215.567.4004**

*Accepts E-service*

*Representing Clean Air Council, Intervenor*

SCOTT J RUBIN ESQUIRELAW OFFICE OF SCOTT J RUBIN333 OAK LANEBLOOMSBURG PA 17815-2036**570.387.1893**

*Accepts E-service*

*Intervenor Pennsylvania Electric Company*

*Representing International Brotherhood of Electrical Workers, Local 459*

JOLINE PRICE ESQUIRE

ELIZABETH R MARX ESQUIRE

PENNSYLVANIA UTILITY LAW PROJECT

118 LOCUST STREET

HARRISBURG PA 17101

**717-236-9486**

*Accepts E-service*

*Representing CAUSE-PA*

SUSAN E BRUCE ESQUIREMCNEES WALLACE & NURICK LLC100 PINE STREETP O BOX 1166HARRISBURG PA 17108-1166**717.237.5254**

*Accepts E-service*

*Representing West Penn Power Industrial Intervenors*

**C-2016-2549413**- *West Penn Power Company*GEORGE W KERR BOROUGH

COUNCIL PRESIDENTWORTHINGTON BOROUGH STREET LIGHTSPO BOX 66STREET LIGHT STREETWORTHINGTON PA 16262**724.297.3233**

*Representing Worthington Borough Street Lights*

**C-2016-2548424** *- West Penn Power Company*

CHARIS MINCAVAGE ESQUIREVASILIKI KARANDRIKAS ESQUIRE

KENNETH STARK ESQUIRE

ALESSANDRA L. HYLANDER

MCNEES WALLACE & NURICK100 PINE STREETPO BOX 1166HARRISBURG PA 17108**717.237.5437**

*Accepts E-service*

*Representing Met-Ed Industrial Users Group and Penelec Industrial Users Group*

**C-2016-2549787 *-*** *Metropolitan Edison Company.*

**C-2016-2549792** *- Pennsylvania Electric Company*

GEORGE JUGOVIC JR ESQUIRE

ROBERT ALTENBURG ESQUIRE

CITIZENS FOR PENNSYLVANIA’S FUTURE

200 FIRST AVENUE

SUITE 200

PITTSBURGH PA 15222

**412.465.2785**

*Accepts E-service*

*Representing Citizens for Pennsylvania’s Future*

BARRY A NAUM ESQUIRE

DERRICK PRICE WILLIAMSON ESQUIRE

SPILMAN THOMAS & BATTLE PLLC

1100 BENT CREEK BOULEVARD

SUITE 101

MECHECANICSBURG PA 17050

**717-795-2742**

**717-795-2740**

*Accepts E-service*

*Representing Wal-Mart Stores East, LLP and Sam’s East, Inc.*

THOMAS J SNISCAK ESQUIRECHRISTOPHER M ARFAA ESQUIRE

WILLIAM E LEHMAN ESQUIRE

HAWKE MCKEON AND SNISCAK LLP100 N TENTH STREETHARRISBURG PA 17101**717.236.1300**

*Accepts E-service*

*Representing Pennsylvania State University*

DENNIS P MILLER

1446 RT 143

PO BOX 24

LENHARTSVILLE PA 19534

**610.562.3295**

*Complainant*

**C-2016-2551248 -***Metropolitan Edison Company*

KENNETH L HALL

115 GROUSE LANE

MOSHANNON PA 16859

**814.280.1476**

*Complainant*

**C-2016-2551643** - *Pennsylvania Electric Company*

ERIC L HETRICK

143 WATERLOO STREET

FRIEDENS PA 15541

**814.279.5522**

*Complainant*

**C-2016-2551207** - *Pennsylvania Electric Company*

JOHN S MCDOWELL

51 WASSER ROAD

GREENVILLE PA 16125

**724.588.9127**

*Complainant*

**C-2016-2551614** – *Pennsylvania Power Company*

MAUREEN O HOOVER

1059 LAKE AVENUE

MONTROSE PA 18801

**570.278.4366**

*Complainant*

**C-2016-2552615** – *Pennsylvania Electric Company*

JOHN E CATTERSON

355 JAMES ST

NEW WILMINGTON PA 16142

**724.946.2507**

*Complainant*

**C-2016-2552384** – *Pennsylvania Power Company*

MARY ELLEN MCCONNELL

2278 RAGGED MOUNTAIN RD

CLEARVILLE PA 15535

**814.784.3332**

*Complainant*

**C-2016-2552601** – *West Penn Power Company*

KATHLEEN M TRETINIK

120 A BINNS RD

BROWNSVILLE PA 15417

**724.208.8676**

*Complainant*

**C-2016-2552271** – *West Penn Power Company*

JANINE AND JEFF RIBBLETT

240 CHURCHILL STREET

JOHNSTOWN PA 15904

**814-262-0327**

*Complainants*

**C-2016-2550110 -** *Pennsylvania Electric Company*

ROBERT MOORE

316 BRAZIL LANE

JOHNSTOWN PA 15909

**814.322.4950**

*Complainant*

**C-2016-2551236** - *Pennsylvania Electric Company*

REBECCA A STILES

372 EAST JACKSON STREET

JOHNSTOWN PA 15909

**814.410.3581**

*Complainant*

**C-2016-2551230** - *Pennsylvania Electric Company*

ROBERT REDINGER JR1881 PAINTERS RUN RDPITTSBURGH PA 15241**412.221.7682**

*Complainant***C-2016-2542278** *West Penn Power*

JEANETTE LIPPY3672 CENTENNIAL ROADHANOVER PA 17331**717.632.6474**

*Complainant*

**C-2016-2549370** *Metropolitan Edison Company*

RICHARD COLLINS ENGINEER440 MONMOUTH DRIVECRANBERRY TOWNSHIP PA 16066-5756**724.742.0414**

*Complainant*

**C-2016-2547484***- Pennsylvania Power Company*

KENNETH SPRINGIRTH4720 CLIFF DIRVEERIE PA 16511**814.899.4202**

*Complainant***C-2016-2546231** *Pennsylvania Electric Company*

LARRY E COLE

74 E LAUREL STREET

MONROETON PA 18832

**570.268.5686**

*Complainant*

**C-2016-2551244** - *Pennsylvania Electric Company*

KIM D HILLEGASSPO BOX 103BEDFORD PA 15522**814.977.2876***Complainant*

C-2016-2553215 *Pennsylvania Electric Company*

LARRY W GATESPO BOX 206BEDFORD PA 15522**814.977.2876***Complainant*

**C-2016-2552878** *Pennsylvania Electric Company*

ROLAND GASSMANN307 LANEWOOD DRIVENEW CASTLE PA 16105**724.657.7237**

*Complainant*

**C-2016-2553461** *Pennsylvania Power Company*

TROY MCKENZIE6381 CUMBERLAND HIGHWAYMEYERSDALE PA 15552**814.324.4367**

*Complainant*

**C-2016-2553313** *West Penn Power Company*

JEAN BITNER

625 LYNN STREET

GREENSBURG PA 15601

**724.834.6831**

*Complainant*

**C-2016-2554871** – *West Penn Power Company*

ELEANOR J PINCHOK

158 JAMES STREET

SPRINGDALE PA 15144

**724.274.9238**

*Complainant*

**C-2016-2555095** – *West Penn Power Company*

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)