

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Mark E. Smith

REP

v.

The United Telephone Company of Pennsylvania

Docket Number

C-00015438

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ORDER

DOCKETED
SEP 20 2001

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The United Telephone Company of Pennsylvania (United), the original respondent in this case, is represented by Janet L. Miller, Esquire, and the law firm of Malatesta Hawke & McKeon LLP, 100 North Tenth Street, P.O. Box 1778, Harrisburg, PA 17105. Ms. Miller's appearance on behalf of United was entered in accordance with the provisions of 52 Pa.Code §1.24(b) on June 5, 2001.

By Order Joining Indispensable Party dated August 14, 2001, Verizon Pennsylvania, Inc. (Verizon), was added as an indispensable party in the above-captioned case, in accordance with the provisions of 52 Pa.Code §63.76.

On August 31, 2001, Norman James Kennard, Esquire, and the law firm of Malatesta Hawke & McKeon LLP, 100 North Tenth Street, P.O. Box 1778, Harrisburg, PA 17105, entered an appearance on behalf of Verizon pursuant to the provisions of 52 Pa.Code §1.24(b).

Due to the dual representation of United and Verizon by Ms. Miller and Mr. Kennard and the law firm of Malatesta Hawke & McKeon LLP, in the above-captioned

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case, verified statements of compliance with the requirements of Pennsylvania Rules of Professional Conduct 1.7, 1.8 and 1.10 are required.

THEREFORE,

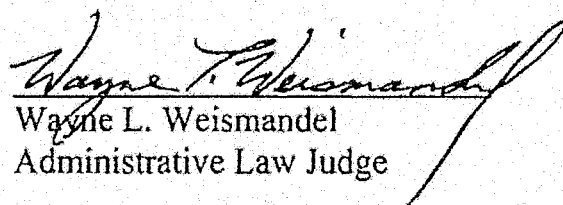
IT IS ORDERED:

1. That on or before Friday, September 21, 2001, Janet L. Miller, Esquire, Malatesta Hawke & McKeon LLP, 100 North Tenth Street, P.O. Box 1778, Harrisburg, PA 17105, and Norman James Kennard, Esquire, Malatesta Hawke & McKeon LLP, 100 North Tenth Street, P.O. Box 1778, Harrisburg, PA 17105, shall, both for themselves individually and for the law firm of Malatesta Hawke & McKeon LLP, 100 North Tenth Street, P.O. Box 1778, Harrisburg, PA 17105, file and serve a verification in accordance with 52 Pa.Code §1.36 setting forth their compliance with the provisions of Rules 1.7, 1.8, and 1.10 of the Pennsylvania Rules of Professional Conduct with respect to their and their firm's representation of both The United Telephone Company of Pennsylvania and Verizon Pennsylvania, Inc. in the above-captioned case.

2. In the event that the verifications required by Order Paragraph 1, above, are not filed and served on or before Friday, September 21, 2001, the appearance of Janet L. Miller, Esquire, and the law firm of Malatesta Hawke & McKeon LLP, 100 North Tenth Street, P.O. Box 1778, Harrisburg, PA 17105, on behalf of The United Telephone Company of Pennsylvania, and the appearance of Norman James Kennard, Esquire, and the law firm of Malatesta Hawke & McKeon LLP, 100 North Tenth Street,

P.O. Box 1778, Harrisburg, PA 17105, on behalf of Verizon Pennsylvania, Inc., shall be stricken in the above-captioned case.

Date: SEPTEMBER 5, 2001


Wayne L. Weismandel
Administrative Law Judge

SERVICE LIST

Mark E. Smith
28 Penn Street
Washington Boro, PA 17582

Janet L. Miller, Esq.
Malatesta Hawke & McKeon LLP
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105-1778

Julia A. Conover, Esq.
Verizon Pennsylvania, Inc., Legal Department
1717 Arch Street, 32NW
Philadelphia, PA 19103

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MAILING ADDRESS
P.O. BOX 1778
HARRISBURG, PA 17105

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FOLDER

September 12, 2001

REP

Honorable Wayne L. Weismandel
Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street - Second Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

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RE: Mark E. Smith v. The United Telephone Company of Pennsylvania; Docket No. C-00015438

Dear Judge Weismandel:

In accordance with Your Honor's September 5, 2001 Order, this letter will confirm that I have complied with the requirements of the Pennsylvania Rules of Professional Conduct 1.01.8 and 1.10 in connection with my and my firm's representation of The United Telephone Company of Pennsylvania in the above-captioned case.

If you have any questions, feel free to call me.

Very truly yours,

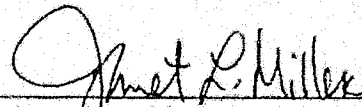
Janet L. Miller
Counsel for The United Telephone
Company of Pennsylvania

JLM/kmg
Enclosure

cc: James J. McNulty, Secretary
Norman James Kennard, Esquire
Mark E. Smith

VERIFICATION

I, Janet L. Miller, Esquire of the firm of Malatesta Hawke & McKeon, hereby state that I have complied with the provisions of the Pennsylvania Rules of Professional Conduct 1.7, 1.8 and 1.10 in connection with my and my firm's representation of The United Telephone Company of Pennsylvania in the matter of Mark E. Smith v. The United Telephone Company of Pennsylvania and Verizon Pennsylvania Inc., Docket No. C-00015438. This verification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



Janet L. Miller
Counsel for The United Telephone
Company of Pennsylvania

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DATED: September 12, 2001