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August 9, 2018

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Alexia McKnight v. PECO Energy Company
Docket No. C-2017-2621057

Dear Secretary Chiavetta:

PECO's *Reply to Objection to PECO's Motion to Admit Counsel Renner Pro Hac Vice* is attached for filing.

Very truly yours,



Ward L. Smith
Counsel for PECO Energy Company

WS/adz
Enclosures

c: Honorable Darlene D. Heep, ALJ
Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Alexia McKnight :
 :
 v. : Docket No. C-2017-2621057
 :
 PECO Energy Company :

CERTIFICATE OF SERVICE

I, Ward L. Smith hereby certify that I served a copy of PECO Energy Company's **Reply to Objection to PECO's Motion to Admit Counsel Renner Pro Hac Vice** in the above matter, upon all interested parties via email and overnight delivery to:

Alexia McKnight
258 Heyburn Road
Chadds Ford, PA 19317
Alexia@mcknightinsight.com

Dated: August 9, 2018



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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Alexia and Lawrence McKnight	:	
	:	
v	:	C-2017-2621057
	:	
PECO Energy Company	:	

**Reply of PECO Energy Company
To
Objection to PECO's Motion to Admit Counsel Renner *Pro Hac Vice***

**Reply of PECO Energy Company
To
Objection to PECO's Motion to Admit Counsel *Pro Hac Vice***

Introduction

On July 16, 2018, PECO filed its Motion to Admit Thomas Carl Watson *pro hac vice* in this matter. *Pro hac vice* motions, especially at administrative agencies, are typically non-controversial requests that are granted without objection.¹ However, on August 6, 2018, the McKnights filed and served their Objection to PECO's Motion. PECO hereby responds to the McKnights' Objection.

The McKnights Objection to the *pro hac vice* admission of Mr. Renner closely tracks their objection to the *pro hac vice* admission of Mr. Watson. PECO is contemporaneously filing its Reply to the Watson Objection, and it incorporates all arguments set forth in that Reply as if set forth fully here.

However, there is an additional argument to be made with respect to the *pro hac vice* admission of Mr. Renner. Mr. Renner has primarily sought *pro hac vice* admission in PPL AMI/health cases, and ALJ Barnes has already rejected the argument that Mr. Renner's practice in those cases constitutes the practice of law in Pennsylvania, and admitted him *pro hac vice* in those cases. See PECO Reply to Watson Objection, pp. 7-8.

The only question raised by this Motion is whether Mr. Renner's limited appearance in the McKnight proceeding somehow took him "over the line" so that, when added to his

¹ See ABA Model Rule on Pro Hac Vice Admissions, Comment 1: "Courts in all American jurisdictions regularly admit lawyers from other jurisdictions to appear as counsel *pro hac vice*. Such admission has been almost a matter of course when sought in conjunction with locally admitted counsel." See also, ABA Model Rule, Drafter's Note 1: "In one form or another, *pro hac vice* practice is ubiquitous in American courts. . . . Extension to administrative agencies of authority to admit *pro hac vice* is novel, though lawyers do not need such admission before federal agencies, and such agencies may have authority to admit lay practitioners."

acceptable appearances for PPL, the nature and extent of his appearances suggest that he should join the Pennsylvania bar.

Clearly, his appearance in McKnight did not have that effect. Mr. Renner was in the hearing room for the four-day hearing, but a word search of the transcript does not identify any times that he spoke on the record. His support role in this case was not such that the nature and extent of his appearances should now be deemed to be inconsistent with *pro hac vice* admission.

Conclusion

The McKnights did not demonstrate good cause for denial of PECO's Motion to Admit Counsel *Pro Hac Vice*, and PECO therefore respectfully requests that Your Honor grant its Motion.

Respectfully submitted,



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