

Deanne M. O'Dell,
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April 24, 2020

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
400 North St., 2nd Fl.
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Complaints of the Office of Consumer Advocate and the Office of Small Business
Advocate regarding Philadelphia Gas Works 2020-2021 Gas Cost Rate Filing;
Docket Nos. R-2020-3017934, C-2020-3018205, and C-2020-3018856

Dear Secretary Chiavetta:

On behalf of Philadelphia Gas Works ("PGW"), enclosed for filing is PGW's Motion for Admission *Pro Hac Vice* in the above-referenced proceeding. Copies to be served in accordance with the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Deanne M. O'Dell

Enclosure

cc: Hon. Darlene Heep (dheep@pa.gov)
Certificate of Service
Graciela Christlieb, Senior Attorney, PGW (via email only)

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of PGW's Motion for Pro Hac Vice upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email

Christy M. Appleby, Esq.
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Daniel Asmus, Esq.
Office of Small Business Advocate
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PA Public Utility Commission
P.O. Box 3265
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Industrial Economics, Incorporated
2067 Massachusetts Ave.
Cambridge, MA 02140
rdk@indecon.com



Dated: April 24, 2020

Deanne M. O'Dell, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | | |
|--|---|------------|----------------|
| Pennsylvania Public Utility Commission | : | | |
| | : | Docket No. | R-2020-3017934 |
| | : | | |
| | : | | |
| Office of Consumer Advocate | : | Docket No. | C-2020-3018205 |
| Office of Small Business Advocate | : | Docket No. | C-2020-3018856 |
| | : | | |
| v. | : | | |
| | : | | |
| Philadelphia Gas Works | : | | |

NOTICE TO PLEAD

TO: Parties of Record

You are hereby notified that a responsive pleading to the enclosed **Motion for Admission Pro Hac Vice of Philadelphia Gas Works (“PGW”)** must be filed within 20 days of the date of service. All responsive pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission with a copy served to counsel for PGW and the Administrative Law Judge assigned this matter.

File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

With a copy to:

Deanne M. O’Dell
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
dodell@eckertseamans.com

Graciela Christlieb, Esq.
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122

Due to the COVID-19 pandemic, the Pennsylvania Public Utility Commission is encouraging individuals to eFile documents. Information regarding eFiling with the Commission is available at <https://www.puc.pa.gov/efiling/default.aspx>.



Date: April 24, 2020

Deanne M. O’Dell, Esquire
Attorneys for
Philadelphia Gas Works

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | | |
|--|---|------------|----------------|
| Pennsylvania Public Utility Commission | : | | |
| | : | Docket No. | R-2020-3017934 |
| | : | | |
| | : | | |
| Office of Consumer Advocate | : | Docket No. | C-2020-3018205 |
| Office of Small Business Advocate | : | Docket No. | C-2020-3018856 |
| | : | | |
| v. | : | | |
| | : | | |
| Philadelphia Gas Works | : | | |

**PHILADELPHIA GAS WORKS’ MOTION
FOR ADMISSION *PRO HAC VICE***

Pursuant to 52 Pa. Code §§ 1.22, Pa. B.A.R. 301(a) and Pa. R.C.P. 1012.1(d)(1) Deanne M. O’Dell, of Eckert Seamans Cherin & Mellott, LLC moves for the admission *pro hac vice* of Craig Berry, Esquire to appear on behalf of Philadelphia Gas Works (“PGW”) in this proceeding.

1. In support of this motion, a Verified Statement of Deanne M. O’Dell, Esquire is attached hereto as Exhibit A and a Verified Statement of Craig Berry, Esquire is attached hereto as Exhibit B.

2. The candidate is a member of good standing of the jurisdictions listed in Exhibit B and he has never been suspended, disbarred or otherwise disciplined by any court or administrative body.

3. Mr. Craig Berry is specifically qualified to participate in this action as he is Senior Attorney at PGW and has extensive public utility law experience.

4. *Pro hac vice* appearance before the Pennsylvania Public Utility Commission is the equivalent to appearance before a special court, and no fee paid to the Pennsylvania Interest

on Lawyers' Trust Accounts Board ("IOLTA Board") is therefore required for Mr. Berry to appear *pro hac vice* before the Commission.¹

5. PGW has requested that Mr. Craig Berry be admitted to represent PGW in this proceeding.

6. PGW provided an advance copy of this Motion to the parties in this proceeding and no party expressed that they would oppose the Motion. Consequently, PGW respectfully requests that this Motion be decided on an expedited basis.

WHEREFORE, the undersigned respectfully move that Craig Berry, Esquire be admitted to appear *pro hac vice* on behalf of PGW in this proceeding.

Respectfully submitted,



Deanne M. O'Dell, Esq.
Attorney ID No.: 81064
Eckert Seamans Cherin & Mellott, LLC
213 Market St., 8th Floor
Harrisburg, PA 17101
Tel (717) 237-6000
Fax (717) 237-6019
dodell@eckertseamans.com

Date: April 24, 2020

¹ 204 Pa. Code §§ 81.504, 81.505(c). IOLTA Board Staff confirmed on April 21, 2020, that attorneys that are only appearing in administrative agency hearings do not need to complete the *pro hac vice* application or pay the *pro hac vice* fee to the IOLTA Board.

Exhibit A
Verification of Deanne M. O'Dell, Esquire

I, the undersigned, do hereby certify and state under penalty of perjury and subject to the penalties provided by 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) that the following facts are true and correct to the best of my knowledge, information or belief:

1. I am an attorney with the law firm of Eckert Seamans Cherin & Mellott, LLC, my office is located in Harrisburg, Pennsylvania, and I am a resident of Pennsylvania.
2. I currently represent PGW in this matter and will continue to serve as the attorneys of record for this proceeding.
3. I am a member in good standing of the Commonwealth of Pennsylvania (bar number 81064).
4. After reasonable investigation, I reasonably believe that Mr. Craig Berry is a reputable and competent attorney and I recommend his admission *pro hac vice*.
5. Currently, I am not sponsoring any other attorney admitted *pro hac vice* in a Pennsylvania proceeding.
6. Any proceeds from any settlement in this matter 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.

Respectfully submitted,



Deanne M. O'Dell, Esquire
Attorney ID No.: 81064
Eckert Seamans Cherin & Mellott, LLC
213 Market St., 8th Floor
Harrisburg, PA 17101
Tel (717) 237-6000
Fax (717) 237-6019
dodell@eckertseamans.com

Date: April 24, 2020

Exhibit B
Verification of Craig Berry, Esquire

I, the undersigned, do hereby certify and state under penalty of perjury and subject to the penalties provided by 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) that the following facts are true and correct to the best of my knowledge, information or belief:

1. I am an attorney who is not currently admitted to the bar of the Commonwealth of Pennsylvania and am seeking permission to appear *pro hac vice* before the Pennsylvania Public Utility Commission on behalf of PGW in this matter.

2. I am admitted to practice in the Commonwealth of Virginia (bar number 78286) and am a member in good standing.

3. I am admitted to practice in the District of Columbia (bar number 999157) and am a member in good standing. I have applied to the Pennsylvania Board of Bar Examiners to be admitted by motion under reciprocity with the District of Columbia.

4. I am not nor have I ever been suspended, disbarred, or otherwise disciplined in any court or administrative body. I am not, nor have I ever been subject to any disciplinary proceedings.

5. I have never been denied *pro hac vice* admission in any proceeding. I have applied for admission *pro hac vice* in PGW's base rate proceeding before the Pennsylvania Public Utility Commission (Docket No. R-2020-3017206).

6. I recently commenced employment as Senior Attorney at Philadelphia Gas Works ("PGW") and, in that role after admission to the Pennsylvania Bar, will represent PGW in numerous regulatory and other legal matters. Prior to starting at PGW, I worked at the District of Columbia Public Service Commission for approximately ten years.

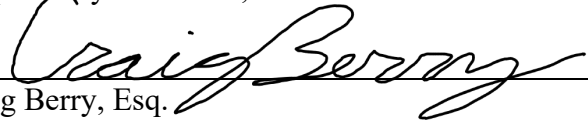
7. If granted *pro hac vice* admission, I will comply with and be bound by the applicable statutes, case law and procedural rules of the Pennsylvania Public Utility Commission

and, as applicable, the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

8. If granted *pro hac vice* admission, I agree to submit to the jurisdiction of the Pennsylvania Public Utility Commission and, to the extent applicable, the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during my *pro hac vice* admission.

9. I consent to the appointment of Deanne M. O'Dell of the law firm of Eckert Seamans Cherin & Mellott, LLC 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 this matter for which *pro hac vice* admission is sought.

Respectfully submitted,



Craig Berry, Esq.
Senior Attorney
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
Tel (215) 684-6049
Fax (215) 684-6798
Craig.Berry@pgworks.com

Date: April 22, 2020