



May 12, 2020

Via Electronic Filing

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

Re: *Petition of the Industrial Energy Consumers of Pennsylvania to Suspend  
Implementation of the Act 129 Phase IV Requirements and for Other Relief*  
(Docket No. P-2020-3019562)

Dear Secretary Chiavetta,

Enclosed for filing in the above-referenced proceeding, please find the Motion for Admission *Pro Hac Vice* of Devin McDougall. Should you have any questions, please contact me at [lwelde@cleanair.org](mailto:lwelde@cleanair.org). As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with a copy of this document. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Logan Welde".

Ernest Logan Welde, Esq.  
Staff Attorney & Director of Legislative Affairs  
Clean Air Council  
135 S 19th St, Suite 300  
Philadelphia, PA 19103  
[lwelde@cleanair.org](mailto:lwelde@cleanair.org)  
(215) 567-4004

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of the Industrial Energy :  
Consumers of Pennsylvania to Suspend : Docket No. P-2020-3019562  
Implementation of the Act 129 Phase IV :  
Requirements and for Other Relief :

**MOTION FOR ADMISSION *PRO HAC VICE***

Pursuant to 52 Pa. Code § 1.22(b), Pa.B.A.R. 301(b), and Pa. R.C.P. No. 1012.1, Ernest Logan Welde, Esq. (“Sponsor”) moves for the admission *pro hac vice* of Devin McDougall, Esq. (“Candidate”) to appear on behalf of Sierra Club, Natural Resources Defense Council (“NRDC”), Citizens for Pennsylvania’s Future (“PennFuture”), Clean Air Council, and the Building Performance Association (hereinafter “Energy Efficiency Advocates”) in the above-captioned proceeding of the Pennsylvania Public Utility Commission (the “Commission”).

1. Pursuant to Pa. R.C.P. No. 1012.1(b)(2), a Verified Statement of Ernest Logan Welde, Esq. is attached hereto as Exhibit A, and a Verified Statement of Devin McDougall, Esq. is attached hereto as Exhibit B.

2. Sponsor is a member in good standing of the bar of the Commonwealth of Pennsylvania and has never been suspended, disbarred, or otherwise disciplined by a court or administrative body. Sponsor has entered an appearance in the above-captioned proceeding on behalf of the Energy Efficiency Advocates and shall remain attorney of record.

3. Candidate is a member in good standing of the bar of the State of New York and has never been suspended, disbarred, or otherwise disciplined by any court or administrative body.

4. Candidate has recently commenced employment as a Staff Attorney in the Philadelphia office of Earthjustice, a non-profit public interest law firm. Prior to starting at

Earthjustice, Candidate practiced law relating to clean energy and environmental matters at a law firm in New York City for approximately seven years.

5. Candidate has significant experience in matters relating to clean energy, and the Energy Efficiency Advocates have requested that Candidate be admitted to represent them in this proceeding.

6. *Pro hac vice* appearance before the Commission is the equivalent of appearance before a special court as defined in 204 Pa. Code § 81.501(g). As such, Candidate's appearance in this proceeding *pro hac vice* does not require the payment of any fee to the Pennsylvania Interest on Lawyers' Trust Accounts Board ("IOLTA Board") under 204 Pa. Code § 81.505(c) or the filing of an informational form with the IOLTA Board under 204 Pa. Code § 81.503(c) and 204 Pa. Code § 81.504.

WHEREFORE, the undersigned Sponsor respectfully moves that Candidate be admitted to appear *pro hac vice* on behalf of the Energy Efficiency Advocates in this proceeding.

Dated: May 12, 2020



Ernest Logan Welde, Esq.  
Staff Attorney & Director of Legislative Affairs  
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**EXHIBIT A.**

**VERIFIED STATEMENT OF ERNEST LOGAN WELDE**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of the Industrial Energy :  
Consumers of Pennsylvania to Suspend : Docket No. P-2020-3019562  
Implementation of the Act 129 Phase IV :  
Requirements and for Other Relief :

**VERIFIED STATEMENT OF ERNEST LOGAN WELDE**

I, Ernest Logan Welde, hereby state as follows:

1. I am Legislative Director and Staff Attorney at Clean Air Council in the Commonwealth of Pennsylvania.
2. I am admitted to practice law in the Commonwealth of Pennsylvania (PA ID 315012) and am in good standing with all courts and administrative agencies of the Commonwealth.
3. I have never been suspended, disbarred, or disciplined by a court or administrative agency, nor am I subject to any proceeding for suspension, disbarment, or disciplinary action.
4. I am currently acting as sponsor of a candidate for admission *pro hac vice* in one Pennsylvania Public Utility Commission proceeding.
5. After reasonable investigation, I reasonably believe Devin McDougall, Esq. to be a reputable and competent attorney.
6. I am in a position to recommend the admission *pro hac vice* of Devin McDougall, Esq.
7. If there should be any proceeds from the settlement of this proceeding, such proceeds 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, if applicable.

8. The foregoing statements are true to the best of my knowledge, information, and belief. I understand that the statements herein made are subject to penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Dated: May 12, 2020



Ernest Logan Welde, Esq.  
Staff Attorney & Director of Legislative Affairs  
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**EXHIBIT B.**

**VERIFIED STATEMENT OF DEVIN MCDOUGALL**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of the Industrial Energy	:	
Consumers of Pennsylvania to Suspend	:	Docket No. P-2020-3019562
Implementation of the Act 129 Phase IV	:	
Requirements and for Other Relief	:	

**VERIFIED STATEMENT OF DEVIN MCDOUGALL**

Pursuant to 52 Pa. Code § 1.22(b), Pa.B.A.R. 301(b), and Pa. R.C.P. No. 1012.1, Ernest Logan Welde, Esq. (“Sponsor”), a member of the bar of the Commonwealth of Pennsylvania (PA ID 315012), is moving for my admission *pro hac vice* in the above-captioned proceeding. In support of Sponsor’s motion, I, Devin McDougall, state as follows:

1. I recently commenced employment as a Staff Attorney in the Philadelphia office of Earthjustice, a non-profit public interest law firm. Prior to starting at Earthjustice, I practiced law relating to clean energy and environmental matters at a law firm in New York City for approximately seven years.

2. I am admitted to practice in the courts of the State of New York (NY ID 5183991), as well as the U.S. District Court for the Southern District of New York and the U.S. District Court for the Eastern District of New York. I am in good standing in each of these jurisdictions. I have never been suspended, disbarred, disciplined, or otherwise subject to any disciplinary proceeding in any of these jurisdictions.

3. I have applied for admission *pro hac vice* in one other proceeding before the Pennsylvania Public Utility Commission.

4. I have never had an application for admission *pro hac vice* denied in any court of record in Pennsylvania.



5. If granted *pro hac vice* admission, I shall comply with and be bound by the applicable statutes, case law, and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

6. If granted *pro hac vice* admission, I shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during the appearance in the matter for which admission *pro hac vice* is being sought.

7. I consent to the appointment of the Sponsor 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 the matter for which admission *pro hac vice* is being sought.

8. The foregoing statements are true to the best of my knowledge, information, and belief. I understand that the statements herein made are subject to penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: May 12, 2020

/s/ Devin McDougall  
Staff Attorney  
Earthjustice  
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Philadelphia, PA 19103  
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## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing electronically-filed document upon the parties, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

<p>Derrick Price Williamson, Esq. Barry A. Naum, Esq. Spilman, Thomas &amp; Battle, PLLC 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg, PA 17050 <a href="mailto:dwilliamson@spilmanlaw.com">dwilliamson@spilmanlaw.com</a> <a href="mailto:bnaum@spilmanlaw.com">bnaum@spilmanlaw.com</a></p>	<p>Steven C. Gray, Esq. Sharon E. Webb, Esq. John R. Evans, Esq. Office of Small Business Advocate Commerce Building, Suite 1102 300 North Second Street Harrisburg, PA 17101 <a href="mailto:jorevan@pa.gov">jorevan@pa.gov</a> <a href="mailto:sgray@pa.gov">sgray@pa.gov</a> <a href="mailto:swebb@pa.gov">swebb@pa.gov</a></p>
<p>Terrance J. Fitzpatrick, President and CEO Donna M. J. Clark, VP and General Counsel Energy Association of Pennsylvania 800 North 3rd Street, Suite 205 Harrisburg, PA 17102 <a href="mailto:tfitzpatrick@energypa.org">tfitzpatrick@energypa.org</a> <a href="mailto:dclark@energypa.org">dclark@energypa.org</a></p>	<p>Richard Kanaskie, Esq. Allison C. Kaster, Esq. Bureau of Investigation &amp; Enforcement Pennsylvania Public Utility Commission Commerce Keystone Building 400 North Street, 2nd Floor Harrisburg, PA 17105 <a href="mailto:rkanaskie@pa.gov">rkanaskie@pa.gov</a> <a href="mailto:akaster@pa.gov">akaster@pa.gov</a></p>
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Dated: May 12, 2020



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