



**Phillips Lytle** LLP

VIA ELECTRONIC FILING

August 18, 2020

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

**Re: Docket C-2020-3020973, Michael Zimmerman v. SFE Energy Pennsylvania, Inc.**

Dear Secretary Chiavetta,

Enclosed please find the Motion of SFE Energy Pennsylvania, Inc. ("SFE" or "Company") for Admission *Pro Hac Vice* for Kevin C. Blake in the above-referenced proceeding. Copies have been provided to those indicated on the Certificate of Service.

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson

Enclosure

cc: Certificate of Service

ATTORNEYS AT LAW

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GREGORY L. PETERSON, PARTNER DIRECT 716 483 5172 GPETERSON@PHILLIPSLYTLLE.COM

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201 WEST THIRD STREET, SUITE 205 JAMESTOWN, NY 14701-4907 PHONE 716 664 3906 FAX 716 664 4230

NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | WASHINGTON, DC | CANADA: WATERLOO REGION | PHILLIPSLYTLLE.COM

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Zimmerman	:	
	Complainant, :	
	:	
v.	:	Docket No. C-2020-3020973
	:	
SFE Energy Pennsylvania, Inc.	:	
	:	
	Respondent. :	

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

Pursuant to Section 5.103 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.103, and Rule 301(b) of the Pennsylvania Bar Admission Rules, I, Gregory L. Peterson, as counsel to SFE Energy Pennsylvania, Inc. (“SFE” or “Company”), hereby move that Kevin C. Blake be admitted to appear and practice before the Pennsylvania Public Utility Commission *pro hac vice* as counsel to SFE, for all purposes related to the above-referenced proceeding (“Motion”). In support thereof, I, Gregory L. Peterson, hereby state as follows:

1. Pursuant to Section 1.24(b)(1) of the Commission’s regulations, 52 Pa. Code § 1.24(b)(1), I have entered my appearance as counsel for SFE in this proceeding, am an active member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 23976), and am a Partner of Phillips Lytle LLP, with my principal office located in Jamestown, New York.

2. Kevin C. Blake is an Associate of Phillips Lytle LLP, whose principal office is located at 125 Main Street, Buffalo, New York.

3. Kevin C. Blake is a 2015 graduate of the University of Colorado School of Law. He is a member in good standing of the Colorado Bar since 2015, and a member in good standing of the New York Bar since 2017. Kevin C. Blake has never been suspended, disbarred, or been the subject of disciplinary proceedings in any state.

4. Kevin C. Blake has experience and expertise in various aspects of regulatory and energy law, including issues related to utility rate proceedings and retail electric and gas matters, and has appeared in proceedings before state utility commissions and the Federal Energy Regulatory Commission.

5. Wherefore, I, Gregory L. Peterson, respectfully move for admission of Kevin C. Blake, *pro hac vice*, on behalf of SFE for all permissible purposes related to the above-referenced proceeding.

August 18, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson  
PA I.D. No. 23976  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
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gpeterson@phillipslytle.com

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Zimmerman	:	
	Complainant,	:
		:
v.		Docket No. C-2020-3020973
		:
SFE Energy Pennsylvania, Inc.		:
		:
	Respondent.	:

**VERIFIED STATEMENT OF GREGORY L. PETERSON, SPONSOR OF  
KEVIN C. BLAKE, FOR ADMISSION *PRO HAC VICE***

Pursuant to 52. Pa. Code §§ 1.22(b) and 5.103 and Pa. B.A.R. 301 and Pa. R.C.P. 1012.1, Gregory L. Peterson, a member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 23976), is moving for the admission *pro hac vice* of Kevin C. Blake, Esq. in the above-referenced proceeding. In support of the Motion, I, Gregory L. Peterson, submit this verified statement pursuant to Pa. R.C.P. 1012.1:

1. I have had sufficient opportunity to conduct a reasonable investigation regarding Kevin C. Blake and can state that he is a reputable and competent attorney.
2. I am presently acting as the sponsor for admission *pro hac vice* in nine other cases in this Commonwealth. Five of these are unconsolidated matters involving the same transaction and involve the same court of record. All of the referenced *pro hac vice* applications were approved. Only three of these matters involve proceedings before the Commission.

3. Any proceeds from the settlement of a cause of action in which the candidate is granted admission *pro hac vice* 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.

4. I aver that *pro hac vice* appearance before the Pennsylvania Public Utility Commission is the equivalent to appearance before a special court, and that no fee paid to the IOLTA Board is therefore required for Mr. Blake to appear *pro hac vice* in the above-referenced proceeding. See 204 Pa. Code § 81.505(c).

5. I shall remain the attorney of record in this case, as required by the Pennsylvania Rules of Civil Procedure.

6. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information, and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to falsifications to authorities).

August 18, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson  
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Jamestown, NY 14701-4907  
Phone: (716) 664-3906  
Fax: (716) 664-4230  
gpeterson@phillipslytle.com  
Attorney for *SFE Energy Pennsylvania, Inc.*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Zimmerman	:	
	Complainant, :	
	:	
v.	:	Docket No. C-2020-3020973
	:	
SFE Energy Pennsylvania, Inc.	:	
	:	
	Respondent. :	

**VERIFIED STATEMENT OF KEVIN C. BLAKE  
FOR ADMISSION *PRO HAC VICE***

Pursuant to 52. Pa. Code §§ 1.22(b) and 5.103 and Pa. B.A.R. 301 and Pa. R.C.P. 1012.1, Gregory L. Peterson, a member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 23976), is moving for my admission *pro hac vice* in the above-referenced proceeding. In support of the Motion, I submit this verified statement pursuant to Pa. R.C.P. 1012.1:

1. I am admitted to practice in and am a member of good standing in the Bar of Colorado, having been admitted in 2015. My Colorado attorney identification number is 48802.

2. I am admitted to practice in and am a member of good standing in the Bar of New York, having been admitted in 2017. My New York attorney identification number is 5493945.

3. I have never been suspended, disbarred, or otherwise disciplined nor am I currently the subject of any disciplinary proceeding in any state.

4. I have previously applied for admission *pro hac vice* in three other matters before the Commission, all of which were granted and remain in effect and in good standing. I have not previously applied for admission *pro hac vice* before any court of record Pennsylvania.

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

7. I consent to the appointment of the sponsoring attorney, Gregory L. Peterson, 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 sought.

8. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information, and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to falsifications to authorities).

August 18, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Kevin C. Blake*

Kevin C. Blake  
CO I.D. #48802  
NY I.D. #5493945  
125 Main Street  
Buffalo, NY 14203  
Phone: (716) 847-7082  
kblake@phillipslytle.com

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA E-MAIL

Michael Zimmerman  
3812 Howley Street  
Pittsburgh, PA 15201  
Michael.zimmerman222@gmail.com

August 18, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson  
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Jamestown, NY 14701-4907  
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	:	
SFE Energy Pennsylvania, Inc.	:	
	:	
	Respondent.	:

**NOTICE TO PLEAD**

You are hereby notified that a responsive pleading to the enclosed Motion for *Pro Hac Vice* must be filed within twenty (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 SFE Energy Pennsylvania, Inc.

**File with:**

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

**With a copy to:**

Gregory L. Peterson  
PA I.D. No. 23976  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
gpeterson@phillipslytle.com

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: August 18, 2020

*Gregory L. Peterson*

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Gregory L. Peterson  
Attorney for *SFE Energy Pennsylvania, Inc.*