

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|-----------------------------|---|----------------|
| Heidi Fiedler | : | |
| | : | |
| v. | : | C-2018-3003642 |
| | : | |
| Metropolitan Edison Company | : | |

**INTERIM ORDER
RESCINDING GRANTING OF MOTION FOR ADMISSION *PRO HAC VICE***

On October 21, 2020, Attorney B. Myers filed a Motion for Admission *Pro Hac Vice* on behalf of Complainant. He represented he was a member of the bar in good standing in multiple jurisdictions, including Maryland and the District of Columbia, and noted he was a retired member of the Pennsylvania bar, with an original admission date of November 23, 1977.

On March 19, 2024, I issued an Interim Order granting, *inter alia*, Mr. Myers' Motion for Admission *Pro Hac Vice*. I directed Commission staff to add Mr. Myers to the Commission's records as counsel for Complainant and to add him to the service list in this matter.

On March 22, 2024, Mr. Myers contacted me by email. His email is attached to this Order as Attachment 1.

Mr. Myers advised he was now 73 years old and had retired from the practice of law since filing the Motion for Admission *Pro Ha Vice*. He explained he was no longer a member of any bar association. He further explained he notified Ms. Fiedler of his decision to retire shortly after he filed the Motion for Admission *Pro Hac Vice*, and she did not object. He argued Ms. Fielder has had ample time to obtain replacement counsel since that time.

Since Mr. Myers is no longer a licensed attorney, he is not eligible to represent Ms. Fiedler in this matter. Due to this new information, I am rescinding the portion of my March

Attachment 1

From: [Edward Myers](#)

To: llepkoski@firstenergycorp.com; [Giesler, Tori](#); crenner@w-r.com; [DeVoe, Emily](#)

Subject: [External] Re: C-2018-3003642 Fiedler v. Met-Ed

Date: Sunday, March 24, 2024 7:08:57 AM

Attachments:

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I am resending my last email to Judge DeVoe so as to include opposing counsel: Judge DeVoe,

I contacted you regarding a matter that does not go to the merits of the pending matter. That is why I did not first notify the other parties to the proceeding. However, if after reading this message you deem it necessary or appropriate for me to raise the matter with the other parties, I certainly have no objection.

As you know, I filed a motion to be admitted pro hac vice in this case on Oct. 21, 2020. The motion stated correctly that I was a member of the bars of Maryland and the District of Columbia and an inactive member of the Pennsylvania Bar.

You granted the motion on March 19, 2024.

However, I am now 73 years old and have since retired from the practice of law and am no longer a member of any bar association. In fact, I notified Ms. Fiedler of my decision to retire shortly after I filed the pro hac vice motion and she did not object. She accordingly has had ample time to obtain replacement counsel although my understanding is that she has not done so.

I wanted to bring these developments to your attention and to ask what, if any, action you recommended on my part.

Thanks very much for your time. I look forward to hearing from you. Regards,

Edward Myers

On Friday, March 22, 2024 at 02:14:59 PM EDT, DeVoe, Emily <edevoe@pa.gov> wrote:

All –

My office received a call from Mr. Myers this afternoon. My legal assistant reported to me that Mr. Myers requested I give him a return call, and my legal assistant did not provide any details regarding the nature of Mr. Myers' question or concern.

Mr. Myers, I am hesitant to discuss the case with you without opposing counsel being present. I am more than happy to answer any questions or discuss any concerns you may have via email with opposing counsel cc'd on the emails.

However, if you prefer, we can schedule a prehearing conference. Please let me know how you'd like to proceed.

Thank you,
Judge
DeVoe



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Emily DeVoe
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Office of Administrative
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C-2018-3003642 - HEIDI FIEDLER v. METROPOLITAN EDISON COMPANY

Updated 04/03/2024

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