

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Time Warner NY Cable LLC,)	
)	
Complainant,)	
)	
v.)	Case No. 09-379-TP-CSS
)	
Cincinnati Bell Telephone Company LLC,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On May 4, 2009, Time Warner NY Cable LLC (Time Warner) filed a complaint against Cincinnati Bell Telephone Company LLC (CBT) alleging that CBT overbilled Time Warner for pole attachments.
- (2) With the complaint, Mr. Stephen M. Howard, an attorney licensed to practice law in the State of Ohio, filed separate motions pursuant to Rule 4901-1-08(B), Ohio Administrative Code (O.A.C.), for admission pro hac vice of Messrs. Gardner F. Gillespie and Dominic F. Perella to represent Time Warner in this proceeding.
- (3) In support of the motion for Mr. Gillespie, Mr. Howard states that Mr. Gillespie is a partner in the law firm of Hogan & Hartson LLP in Washington, D.C. He is an active member in good standing of the District of Columbia Bar and an associate member in good standing of the Bar of the Commonwealth of Virginia. Mr. Gillespie is authorized to practice before the Supreme Court of the Commonwealth of Virginia, the U.S. District Court for the Eastern District of Virginia, the Second Circuit, Fourth Circuit, Eighth Circuit, Eleventh Circuit, the District of Columbia Circuit, the D.C. Superior Court, and the U.S. Supreme Court. Furthermore, Mr. Howard assures the Commission that Mr. Gillespie is experienced in utility regulation and is familiar with pole attachment issues.

- (4) In support of the motion for Mr. Perella, Mr. Howard states that Mr. Perella is an associate with the law firm of Hogan & Hartson LLP in Washington, D.C. He is an active member in good standing of the District of Columbia Bar and an associate member in good standing of the Bar of the Commonwealth of Virginia. Mr. Perella is authorized to practice before the Supreme Court of the Commonwealth of Virginia, the District of Columbia Court of Appeals, the U.S. District Court for the District of Columbia, and the U.S. Courts of Appeals for the Eight and Ninth Circuits. Furthermore, Mr. Howard assures the Commission that Mr. Perella is experienced in utility regulation and is familiar with pole attachment issues.
- (5) Rule 4901-1-8(B), O.A.C., provides that "[p]ersons authorized to practice law in other jurisdictions may be permitted to appear before the commission in a particular proceeding, upon motion of an attorney of this state." Upon the representations of counsel and compliance with the Commission's rule, the motions for admission pro hac vice shall be granted. Messrs. Gillespie and Perella shall be permitted to appear and participate in this matter on behalf of Time Warner.

It is, therefore,

ORDERED, That Messrs. Gillespie and Perella are permitted to appear as counsel and represent Time Warner in this proceeding. It is, further,

ORDERED, That copies of this entry be served upon the parties, counsel, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

L. Douglas Jennings
By: L. Douglas Jennings
Attorney Examiner

gfg
/vrm

Entered in the Journal

AUG 06 2009

Renee J. Jenkins

Renee J. Jenkins
Secretary