

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | | |
|---|---|--------------------------------|
| In the Matter of the Commission Review |) | |
| of the Capacity Charges of Ohio Power |) | |
| Company and Columbus Southern Power |) | Case No. 10-2929-EL-UNC |
| Company |) | |

**MOTION FOR PERMISSION TO APPEAR *PRO HAC VICE INSTANTER*
BEFORE THE COMMISSION**

Pursuant to Gov.Bar R. XII(2)(A)(6), Derek Shaffer, attorney for Ohio Power Company, hereby moves the Public Utilities Commission of Ohio (the "Commission") to grant him permission to appear *pro hac vice instanter* and participate as co-counsel in the above-captioned proceeding.

Movant represents that the following is a list of jurisdictions in which he has ever been licensed to practice law, including dates of admission to practice, resignation, or retirement, and any attorney registration numbers:

- i) California (#212746), admitted on April 20, 2001; and
- ii) District of Columbia (#478775), admitted on August 5, 2002.

Movant represents that he has not been granted permission to appear *pro hac vice* in more than three proceedings before Ohio tribunals in the current calendar year pursuant to Gov. Bar R. XII(2)(A)(5).

Daniel R. Conway (#0023058), an attorney licensed to practice in the State of Ohio in good standing, has agreed to associate with Movant in this proceeding.

Pursuant to Gov. Bar R. XII(3), a copy of the affidavit required by Gov. Bar R. XII(2)(A)(6), confirmation that the affidavit has been mailed to the Supreme Court of Ohio's Office of Attorney Services, and a date-stamped copy of Movant's application for *pro hac vice* registration, filed with the Office of Attorney Services on May 9, 2012, is included herewith. Movant will provide the Commission a copy of Movant's Certificate of *Pro Hac Vice* Registration when it is furnished by the Office of Attorney Services. Additionally, a certificate indicating service of this Motion on all known parties and attorneys of record is attached.

Movant understands that, if this Motion is granted, Movant must file a Notice of Permission to Appear *Pro Hac Vice* and a copy of the Order granting permission with the Office of Attorney Services within thirty days of the Order.

WHEREFORE, Derek Shaffer respectfully moves the Commission for permission to appear *pro hac vice instant* before the Commission in the limited instance of this proceeding.

Respectfully submitted,



Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service
Corporation
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215
(614) 716-1608
Fax: (614) 716-2950
Email: stnourse@aep.com
mjsatterwhite@aep.com

Daniel R. Conway
Christen M. Moore
Porter, Wright, Morris & Arthur, LLP
41 S. High St.
Columbus, Ohio 43215

(614) 227-2270
Fax: (614) 227-2100
Email: dconway@porterwright.com
cmoore@porterwright.com

Derek Shaffer
Quinn Emanuel Urquhart & Sullivan, LLP
1299 Pennsylvania Avenue, NW, Suite 825
Washington, DC 20004
(202) 538-8123
Fax: (202) 538-8100
E-mail: derekshaffer@quinnemanuel.com

Counsel for Ohio Power Company

CERTIFICATE OF SERVICE

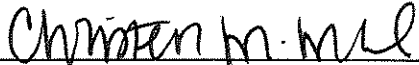
I hereby certify that a copy of the foregoing Motion for Permission to Appear *Pro Hac Vice Instante* Before the Commission was served by E-mail upon counsel for all other parties of record in this case on this 9th day of May, 2012.

Daniel.Shields@puc.state.oh.us,
Tammy.Turkenton@puc.state.oh.us,
Jodi.Bair@puc.state.oh.us,
Bob.Fortney@puc.state.oh.us,
Doris.McCarter@puc.state.oh.us,
Stephen.Reilly@puc.state.oh.us,
Werner.Margard@puc.state.oh.us,
William.Wright@puc.state.oh.us,
Thomas.Lindgren@puc.state.oh.us,
john.jones@puc.state.oh.us,
dclark1@aep.com,
grady@occ.state.oh.us,
keith.nusbaum@snrdenton.com,
kpkreider@kmlaw.com,
mjsatterwhite@aep.com,
ned.ford@fuse.net,
pfox@hilliardohio.gov,
ricks@ohanet.org,
stnourse@aep.com,
cathy@theoec.org,
dsullivan@nrhc.org,
aehaedt@jonesday.com,
dakutik@jonesday.com,
haydenm@firstenergycorp.com,
dconway@porterwright.com,
jlang@calfee.com,
lmcbride@calfee.com,
tallexander@calfee.com,
etter@occ.state.oh.us,
grady@occ.state.oh.us,
small@occ.state.oh.us,
cynthia.a.fonner@constellation.com,
David.fein@constellation.com,
Dorothy.corbett@duke-energy.com,
Amy.spiller@duke-energy.com,
dboehm@bklawfirm.com,
mkurtz@bklawfirm.com,
ricks@ohanet.org,
tobrien@bricker.com,
jbentine@taftlaw.com,
myurick@taftlaw.com,
zkravitz@taftlaw.com,
jejadwin@aep.com,
msmalz@ohiopoverlylaw.org,
jmaskovyak@ohiopoverlylaw.org,
todonnell@bricker.com,
cmontgomery@bricker.com,
lmcaster@bricker.com,
mwarnock@bricker.com,
gthomas@gtpowergroup.com,
wmassey@cov.com,

henryeckhart@aol.com,
laurac@chappelleconsulting.net,
whitt@whitt-sturtevant.com,
thompson@whitt-sturtevant.com,
sandy.grace@exeloncorp.com,
cmiller@szd.com,
ahaque@szd.com,
gdunn@szd.com,
mhpetricoff@vorys.com,
smhoward@vorys.com,
mjsettineri@vorys.com,
lkalepsclark@vorys.com,
bakahn@vorys.com,
Gary.A.Jeffries@dom.com,
Stephen.chriss@wal-mart.com,
dmeyer@kmlaw.com,
holly@raysmithlaw.com,
barthroyer@aol.com,
philip.sineneng@thompsonhine.com,
carolyn.flahive@thompsonhine.com,
terrance.mebane@thompsonhine.com,
cmooney2@columbus.rr.com,
drinebolt@ohiopartners.org,
trent@theoec.org,
nolan@theoec.org,
gpoulos@enemroc.com,
emma.hand@snrdenton.com,
doug.bonner@snrdenton.com,
clinton.vince@snrdenton.com,
sam@mwncmh.com,
joliker@mwncmh.com,
fdarr@mwncmh.com,
jestes@skadden.com,
paul.wight@skadden.com,
dstahl@eimerstahl.com,
aaragona@eimerstahl.com,
ssolberg@eimerstahl.com,
tsantarelli@elpc.org,
callwein@wamenergy.com,
malina@wexlerwalker.com,
jkooper@hess.com,
kguerry@hess.com,
afreifeld@viridityenergy.com,
swolfe@viridityenergy.com,
korenergy@insight.rr.com,
sasloan@aep.com,
Dane.Stinson@baileycavalieri.com,
cendsley@ofbf.org,
bpbarger@bcslawyers.com,
OhioESP2@aep.com,
kaelber@buckleyking.com,

Elizabeth.watts@duke-energy.com
Rocco.d'ascenzo@duke-energy.com
bmcmahon@emh-law.com
judi.sobecki@DPLINC.com
Randall.griffin@DPLINC.com

walter@buckleyking.com
Jeanne.kingery@duke-energy.com
jmclark@vectren.com
sbruce@oada.com



Christen M. Moore

COLUMBUS/1630998v.1

THE SUPREME COURT of OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

Derek Shaffer (2749-2012)

AFFIDAVIT OF APPLICANT
Gov. Bar R. XII, Section 2(A)(3)

FOR PRO HAC VICE REGISTRATION

Derek Shaffer

_____, being first duly cautioned, swears or affirms as follows:

- a. I have never been disbarred from the practice of law.
- b. I have been admitted to the practice of law in the following jurisdictions (attach additional jurisdictions if necessary):

California

District of Columbia

c. Choose one:

- ☒ I am not currently suspended from the practice of law in any jurisdiction where I have been admitted to practice.
- ☐ I am currently suspended from the practice of law in the following jurisdictions:

d. Choose one:

- ☒ I have not resigned from the practice of law with discipline pending in any jurisdiction where I have been admitted to practice.
- ☐ I have resigned from the practice of law with discipline pending in the following jurisdiction(s):



SIGNATURE OF APPLICANT

Sworn to or affirmed before me and subscribed in my presence the 9th day of May,
20 12, in the state of Ohio and county of Franklin.



*Affix stamp & seal (required in Ohio).

SIGNATURE OF NOTARY-PUBLIC*
DANIEL R. CONWAY, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
LIFETIME COMMISSION

Porter Wright Morris & Arthur LLP
41 South High Street
Suites 2800 - 3200
Columbus, OH 43215-6194

porterwright

FIRST-CLASS MAIL

neopost
05/09/2012

\$05.75

US POSTAGE

ZIP 43215
041112201939



7011 0470 0001 6201 7564
7011 0470 0001 6201 7564

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com
OFFICIAL USE

| | |
|---|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |

Postmark
Here

Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

Supreme Court of Ohio - Attorney General
65 S. Front St 5th Fl.
Columbus, OH 43215-3431

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Supreme Court of Ohio
ATTORNEY SERVICE DIVISION
65 S. Front St., 5th Fl.
Columbus, OH 43215-3431

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service)

7011 0470 0001 6201 7564

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service[®]
CERTIFIED MAIL[™] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

| | |
|--|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |

Postmark Here

Sent To

Supreme Court of Ohio - Attorney General
Street, Apt. No., 65 S. Front St., 5th Fl.
or PO Box No.
City, State, ZIP+4[®] Columbus, OH 43215-3431

PS Form 3811, August 12, 2005

See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL[™]



7011 0470 0001 6201 7564
7011 0470 0001 6201 7564

Pro Hac Vice Application

Add Applicant

Search Applicant

Maintenance

Administration

Reports

REGISTRATION

Account
Information* Registration New
Type

Year 2012

Registration

File Notice of
PermissionRenew
Registration

Label

Envelope

Email

Derek Shaffer
(2749)

Pending

Upload Affidavit

Delete
Registration*** I certify that (check all that apply):**

- ☒ I am admitted to the practice of law in the highest court of a state, commonwealth, territory, or possession of the US or the District of Columbia, or admitted to practice in the courts of a foreign state, and am in good standing in said jurisdiction(s).
- ☒ I do not reside in Ohio and am not regularly employed at an office in Ohio.
- ☐ I am registered for corporate status in Ohio pursuant to Gov.Bar R. VI, Section 3.
- ☐ I reside in Ohio but lawfully practice from offices in one or more other states.
- ☐ I maintain an office or other systematic and continuous presence in Ohio pursuant to Prof. Cond. Rule 5.5(d)(2).
- ☐ I have permanently relocated to Ohio in the last 120 days and am currently an applicant pending admission under Gov. Bar R. I.
- ☒ I have not taken and failed the Ohio bar exam, been denied admission without examination, or had an application for admission in Ohio denied on character and fitness grounds pursuant to Gov.Bar R. I within the last five years.
- ☒ I will comply with the applicable statutes, law, and procedural rules of the State of Ohio, and the rules, policies, and procedures of the tribunal before which I seek to practice, and will be familiar with and comply with the Ohio Rules of Professional Conduct and the Rules for the Government of the Bar.

*** Choose One:**

- ☒ I will submit the annual registration fee of \$100 to the Supreme Court of Ohio.
- ☐ I represent an amicus curiae in support of an indigent defendant in a criminal matter and request a waiver of the annual registration fee.

Application Date 5/9/2012

Affidavit Date

Start Date 5/9/2012

End Date 12/31/2012

Fee Amount 100.0000

Fee Paid Date 5/9/2012

Fee Waiver ☐

Comments

Submit

RECEIVED

MAY 09 2012

OFFICE OF
ATTORNEY SERVICES

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/9/2012 2:06:50 PM

in

Case No(s). 10-2929-EL-UNC

Summary: Motion Motion for Permission to Appear Pro Hac Vice Instantly Before the
Commission electronically filed by Ms. Christen M Moore on behalf of Mr. Derek Shaffer and
Ohio Power Company