

**BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO**

**In the Matter of the Commission's  
Investigation into SFE Energy Ohio, Inc. and  
Statewise Energy Ohio, LLC's Compliance  
with the Ohio Revised Code and Ohio  
Administrative Code and Potential Remedial  
Action**

**Case No. 20-1216-GE-COI**

**MOTION FOR PERMISSION FOR THOMAS F. PUCHNER TO APPEAR *PRO HAC*  
VICE BEFORE THE COMMISSION**

Pursuant to Ohio Administrative Code 4901-1-08(B) and Rule XII of the Supreme Court Rules for the Government of the Bar of Ohio, SFE Energy Ohio, Inc. and Statewise Energy Ohio, LLC hereby move the Public Utilities Commission of Ohio (the "Commission") to grant Thomas F. Puchner permission to appear *pro hac vice* and participate as counsel for SFE Energy Ohio, Inc. and Statewise Energy Ohio, LLC in the above-captioned proceeding.

Mr. Puchner's residential address is P.O. Box 177, Valatie, New York 12184. His office address is 30 South Pearl Street, Albany, New York 12207.

The following is a list of jurisdictions in which Thomas F. Puchner has ever been licensed to practice law, including dates of admission to practice and any attorney registration numbers:

- (i) State Bar of New York, Bar No. 4287983, Admitted January 26, 2005;
- (ii) Northern District of New York, Bar Roll No. 513492, Admitted October 20, 2005;

(iii) Western District of New York, Admitted Nov. 2005.

Mr. Puchner's registration number is PHV-22217-2020.

Mr. Puchner 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 Rule XII(2)(A)(5). Under that Rule, participation in a Commission proceeding — including a proceeding involving “the consolidation of two or more” Commission case numbers — counts as a single proceeding in the year the *pro hac vice* motion is granted. Gov. Bar Rule XII(2)(A)(5). In addition, any “appeal of [a Commission] order or ruling . . . shall not be counted toward the annual limitation,” and if “a proceeding continues to the next or subsequent calendar years, the proceeding will not count toward the annual limitation.” *Id.*

David F. Proaño (0078838), an attorney licensed to practice in the State of Ohio in good standing, has agreed to associate with Mr. Puchner in this proceeding.

Attached is a copy of the certificate of *pro hac vice* registration for Mr. Puchner furnished by the Supreme Court of Ohio, Office of Attorney Services, a copy of the affidavit required by Gov. Bar R. XII(2)(A)(7)(c), and a certificate indicating service of this Motion on all known parties and attorneys of record.

Mr. Puchner understands that, if this Motion is granted, he 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, SFE Energy Ohio, Inc. and Statewise Energy Ohio, LLC  
respectfully move the Commission for permission for Thomas F. Puchner to appear *pro*  
*hac vice* before the Commission in this proceeding

August 27, 2020

Respectfully submitted,

/s David F. Proaño

David F. Proaño (0078838), Counsel of Record  
dproano@bakerlaw.com

Patrick T. Lewis (0078314)

plewis@bakerlaw.com

Daniel R. Lemon (0097113)

dlemon@bakerlaw.com

Marvin C. Brown IV (0096128)

mcbrown@bakerlaw.com

BAKER & HOSTETLER LLP

127 Public Square, Suite 2000

Cleveland, Ohio 44114

Phone: 216-861-7834

Fax: 216-696-0740

*Counsel for SFE Energy Ohio, Inc. and  
Statewise Energy Ohio, LLC*

**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing document was served by e-mail upon the persons listed below this 27th day of August, 2020.

**SERVICE LIST**

Jodi Bair, Senior Assistant Attorney General  
Jodi.Bair@ohioattorneygeneral.gov

Steven Darnell, Assistant Attorney General  
Steven.Darnell@ohioattorneygeneral.gov

Kimberly Bojko  
bojko@carpenterlipps.com

Christopher Healey  
Christopher.healey@occ.ohio.gov

Dated: August 27, 2020

/s David F. Proaño  
David F. Proaño (0078838)  
Counsel for SFE Energy Ohio, Inc. and  
Statewise Energy Ohio, LLC

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AFFIDAVIT OF THOMAS F. PUCHNER

Thomas F. Puchner, being first duly cautioned, swears or affirms as follows:

1. I am admitted to the practice of law in New York, and the Northern and Western District of New York and am a member of good standing in the Bar of New York.
2. I am not currently suspended from the practice of law in any jurisdiction where I have been admitted to practice.
3. I have not resigned from the practice of law with discipline pending in any jurisdiction where I have been admitted to practice.

  
Thomas F. Puchner

Sworn to or affirmed before me and subscribed in my presence the 24<sup>th</sup> day of August, 2020, in the State of New York and county of Albany. Columbia.  
Notary Public located in the State of New York, County of Albany.  
Notarized per NYS Executive Order 202.7.

  
Notary Public

MITZI STICKLES  
Notary Public, State of New York  
No. 01ST6390579  
Qualified in Columbia County  
Commission Expires April 15, 2023

# THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Thomas Puchner**

FOR PRO HAC VICE REGISTRATION

per Gov. Bar R. XII, Section 2(A)(3)

**Thomas Puchner**

\_\_\_\_\_, having met the requirements of, and found to be in full compliance with, Section 2(A)(3) of Rule XII of the Rules for the Government of the Bar of Ohio, is hereby issued this certificate of pro hac vice registration in the state of Ohio.

To receive permission to appear pro hac vice in an Ohio proceeding, a motion requesting such permission must be filed with the tribunal in accordance with Section 2(A)(6) of Rule XII of the Rules for the Government of the Bar of Ohio.



Gina White Palmer  
Director, Attorney Services

Certificate of  
PRO HAC VICE  
REGISTRATION

2020

Registration Number:  
PHV- 22217-2020

**Expires December 31, 2020**

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/27/2020 1:33:41 PM**

**in**

**Case No(s). 20-1216-GE-COI**

Summary: Motion for Permission for Thomas F. Puchner to Appear Pro Hac Vice before the Commission electronically filed by Mr. David F. Proano on behalf of SFE Energy Ohio, Inc. and Statewise Energy Ohio, LLC