

FILE

**KMK** | Keating Muething & Klekamp PLL  
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February 10, 2011

**VIA UPS**  
Public Utilities Commission of Ohio  
Docketing Division  
180 E. Broad Street  
Columbus, Ohio 43215-3793

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2011 FEB 11 AM 11:14  
PUCO

Re: Case No. 10-3126-EL-UNC

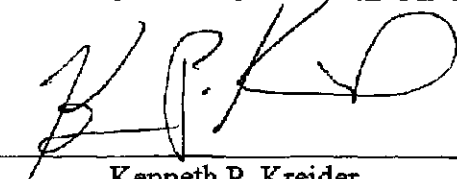
Dear Sir or Madam:

Please find enclosed the original and fifteen (15) copies of the 1) MOTION TO INTERVENE OF WAL-MART STORES EAST, LP AND SAM'S EAST, INC.; and 2) MOTION FOR ADMISSION *PRO HAC VICE* OF HOLLY RACHEL SMITH; and 3) COMMENTS OF WAL-MART STORES EAST, LP AND SAM'S EAST, INC. each to be filed in the above-referenced case.

Copies have been served on all parties on the attached Certificates of Service. Please enter this document in the case file and return an extra file-stamped copy of each (provided) in the enclosed postage paid envelope. Thank you.

Very truly yours,

KEATING MUETHING & KLEKAMP PLL

By:   
Kenneth P. Kreider

KPK:ang

Enclosures

c: Certificate of Service

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician TN Date Processed FEB 11 2011

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

)  
In the Matter of Aligning Electric Distribution Utility )  
Rate Structure With Ohio's Public Policies to )  
Promote Competition, Energy Efficiency, and )  
Distributed Generation. )

Case No. 10-3126-EL-UNC

**MOTION FOR ADMISSION *PRO HAC VICE* OF HOLLY RACHEL SMITH**

Pursuant to Rules for the Government of the Bar of Ohio (Gov. Bar R. XII), Holly Rachel Smith respectfully moves to appear *pro hac vice* before this Commission in the above-captioned proceeding on behalf of Wal-Mart Stores East, LP and Sam's East, Inc. Ms. Smith state as follows:

a) Holly Rachel Smith's residential address is:

Holly Rachel Smith  
3803 Rectortown Road  
Marshall, VA 20115

Ms. Smith is employed by the law firm of Holly Rachel Smith, PLLC, located at Hitt Business Center, 3803 Rectortown Road, Marshall, Virginia 20115.

b) Ms. Smith was admitted to practice law in the District of Columbia in December of 1999 (#465464), the Commonwealth of Pennsylvania in March of 2006 (#202006), and the Commonwealth of Virginia in January of 2008 (#74398). Ms. Smith's admissions are active in all three jurisdictions; she is in good standing in all three jurisdictions.

c) As sworn to in the attached affidavit, Ms. Smith has never been disbarred and is not currently under suspension. Ms. Smith has never resigned with discipline pending in any jurisdiction within which she has ever been admitted.

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d) Ms. Smith has not yet been granted permission to appear *pro hac vice* in any proceeding before Ohio tribunals in the current calendar year pursuant to Section 2(A)(5). Ms. Smith notes that she has a pending request from 2010 to be admitted *pro hac vice* before this Commission in Case No. 10-1454-EL-RDR.

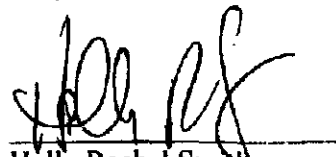
e) Kenneth P. Kreider (#0042624), of the law firm of Keating Muething & Klekamp PLL, is an active Ohio attorney in good standing who has agreed to associate with Ms. Smith.

f) Attached is the Certificate of *Pro Hac Vice* Registration issued to Holly Rachel Smith by the Ohio Supreme Court.. effective through December 31, 2011.

WHEREFORE, Holly Rachel Smith, respectfully moves for her admission, *pro hac vice* to appear before the Commission in the limited instance of this proceeding.

Dated: February 9, 2011

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Holly Rachel Smith', is written over a horizontal line.

Holly Rachel Smith  
Holly Rachel Smith, PLLC  
Hitt Business Center  
3803 Rectorstown Road  
Marshall, VA 20115  
Phone: (540) 364-0150  
Fax: (540) 518-9095  
Email: [holly@raysmithlaw.com](mailto:holly@raysmithlaw.com)

# THE SUPREME COURT of OHIO

## OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Holly Smith (1140-2011)**

FOR PRO HAC VICE REGISTRATION

**AFFIDAVIT OF APPLICANT**

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

State of Virginia

County of Fauquier

ss:

Holly Rachel Smith, 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 jurisdiction(s):  
District of Columbia; Commonwealth of Virginia; Commonwealth of Pennsylvania
- 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 jurisdiction(s):  
\_\_\_\_\_
- 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:

Holly R. Smith

Sworn to or affirmed before me and subscribed in my presence the 7th

day of February, 2011

Kenneth J. Taylor, Jr.  
Notary Public  
Commonwealth of Virginia  
Notary Reg. 105381  
My commission Expires 1/31/2012

Kenneth J. Taylor, Jr.  
NOTARY PUBLIC

# THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Holly Smith**

FOR PRO HAC VICE REGISTRATION

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

Certificate of  
PRO HAC VICE  
REGISTRATION


2011

Registration Number:  
PHV- 1140-2011

Holly Smith

, 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.



Susan B. Christoff  
Director, Attorney Services

**Expires December 31, 2011**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy via electronic mail (when available) and by first-class postage prepaid mail, to all parties on this 10<sup>th</sup> day of February, 2011.

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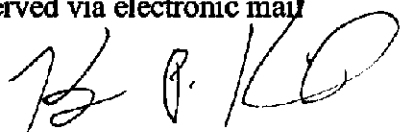
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\*Indicates that party has agreed to be automatically served via electronic mail

  
Kenneth P. Kreider, Esq.