

ATTORNEY & COUNSELLOR AT LAW

RECEIVED-DOCKETING DIV

### 2011 MAR 16 PM 12: 39

March 15, 2011

PUCO

HOLLY RACHEL SMITH DIRECT DIAL: (540) 364-0150 holly@raysmithlaw.com

#### VIA FEDERAL EXPRESS

Ms. Renee Jenkins Secretary The Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43215

## RE: Case Nos. 11-346-EL-SSO, 11-348-EL-SSO, 11-349-EL-AAM, 11-350-EL-AAM

Dear Secretary Jenkins:

On behalf of the Sam's East, Inc. and Wal-Mart Stores East, LP, attached please find an original and twelve (12) copies of the Motion for Admission *Pro Hac Vice* of Holly Rachel Smith.

Kindly stamp as received the extra copy and return it in the envelope provided.

Please do not hesitate to contact me if you have any questions regarding this filing.

Sincerely,

Holly Rachel Smith

This is to certify that the images appearing are an accurate and complete reproduction of a cide file locument delivered in the regular course of business are processed 3/16/11.
rechnician

#### BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of	)		
Columbus Southern Power Company and	)		
Ohio Power Company for Authority to	)		
Establish a Standard Service Offer Pursuant	)	Case No. 11-346-EL-SSO	
to Section 4928.143, Revised Code, in the •	)	Case No. 11-348-EL-SSO	
Form of an Electric Security Plan.	)		
	)		1
In the Matter of the Application of	)		
Columbus Southern Power Company and	)	Case No. 11-349-EL-AAM	
Ohio Power Company for Approval of	)	Case No. 11-350-EL-AAM	-
Certain Accounting Authority.	)		

#### 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 states 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.

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, and a pending request in 2011 to be admitted *pro hac vice* in Case No. 10-3126-EL-UNC.

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: March 15, 2011

Respectfully submitted,

Holly Rachel Smith Holly Rachel Smith, PLLC Hitt Business Center 3803 Rectortown Road Marshall, VA 20115 Phone: (540) 364-0150 Fax: (540) 518-9095 Email: holly@raysmithlaw.com STATE OF VIRGINIA COUNTY OF FAUQUIER

) ) ss:

I, Holly Rachel Smith, swear that I am an attorney licensed to practice law in Pennsylvania, Virginia and the District of Columbia, and that I have never been disbarred, nor suspended, nor have I ever resigned with discipline pending in any jurisdiction in which I have ever been admitted to practice law.

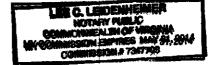
Signed this 15 th day of March, 2011.

olly Rachel Smith

The above and foregoing Affidavit was subscribed and sworn to or affirmed before me this 5 th day of March, 2011, by Holly Rachel Smith.

State of Virginia

My commission expires:



# 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 15<sup>th</sup> day of March, 2011.

Matthew Satterwhite 1 Riverside Plaza 29<sup>th</sup> Floor Columbus, OH 43215

Mr. Steven T. Nourse American Electric Power 1 Riverside Plaza Columbus, OH 43215

Frank P. Darr, Esq. McNees Wallace & Nurick LLC 21 East State Street, 17<sup>th</sup> Floor Columbus, OH 43215

Terrence O'Donnell, Esq. Bricker & Eckler LLP 100 South Third Street Columbus, OH 43215

Amy Spiller Duke Energy Ohio 139 E. Fourth Street, Ste 1303 Main PO Box 960 Cincinnati, OH 45201

\*Mark Yurick Chester Willcox & Saxbe LLP 65 E. State Street Suite 100 Columbus, OH 43215

Ohio Energy Group, Inc. David Boehm 36 E. Seventh Street Suite 1510 Cincinnati, OH 45202 Michael Smalz, Esq. Ohio State Legal Service Assoc. 555 Buttles Avenue Columbus, OH 43215-1137

Ohio Power Company Legal Department 1 Riverside Plaza Columbus, OH 43125

Michael L. Kurtz Boehm Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, OH 45202

Jay E. Jadwin, Counsel of Record American Electric Power Service Corporation 1 Riverside Plaza, 29<sup>th</sup> Floor Columbus, OH 43215

\* Mr. Mark A. Hayden FirstEnergy Corp 76 South Main Street Akron, OH 44308

Terry Etter Ohio Consumers' Counsel 10 W. Broad Street Suite 1800 Columbus, OH 43215

Lisa G McAlister Bricker & Eckler LLP 100 South Third Street Columbus, OH 43215-4291 Colleen Mooney 231 West Lima Street Findlay, OH 45840

Paulding Wind Farm, LLC Steve Howard, Esq. 52 East Gay St. PO Box 1008 Columbus, OH 43215 Christopher Montgomery Bricker & Eckler LLP 100 South Third Street Columbus, OH 43215