

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
the Dayton Power and Light Company for)	Case No. 16-0395-EL-SSO
Approval of its Electric Security Plan)	
)	
In the Matter of the Application of the)	
Dayton Power and Light Company for)	Case No. 16-0396-EL-ATA
Approval of Revised Tariffs)	
)	
In the Matter of the Application of the)	
Dayton Power and Light Company for)	Case No. 16-0397-EL-AAM
Approval of Certain Accounting Authority)	
Pursuant to Ohio Rev. Code § 4905.13)	

**MOTION REQUESTING PERMISSION FOR ANDREW S. GARVER TO
APPEAR *PRO HAC VICE* BEFORE THE COMMISSION**

William J. Michael, admitted to the practice of law in Ohio, and pursuant to Ohio Adm. Code 4901-1-8(B), Ohio Adm. Code 4901-12, and Section 2(A) of Rule XII of the Supreme Court Rules for the Government of the Bar of Ohio, respectfully requests that the Public Utilities Commission of Ohio (“Commission”) grant Andrew S. Garver (PHV-10193-2017) permission to appear *pro hac vice* in this proceeding on behalf of the Office of the Ohio Consumers’ Counsel (“OCC”). The reasons that the Commission should grant Andrew S. Garver permission to appear *pro hac vice* are further set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/ William J. Michael

William J. Michael (0070921)

Counsel of Record

Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

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William.michael@occ.ohio.gov

(will accept service via email)

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Pursuant to Ohio Rev. Code § 4905.13)	

MEMORANDUM IN SUPPORT

The Public Utilities Commission of Ohio (the “Commission”) is respectfully requested, pursuant to Rule XII of the Supreme Court Rules for the Government of the Bar of Ohio, to grant Andrew S. Garver (PHV-10193-2017) permission to appear *pro hac vice* and participate as co-counsel on behalf of the Office of the Ohio Consumers’ Counsel in the above-captioned proceeding.

The following is a list of jurisdictions in which Mr. Garver has been licensed to practice law, including dates of admission to practice, resignation, or retirement, and any attorney registration numbers:

- i) New York, Bar No. 4835955, Admitted May 26, 2010.

Mr. Garver 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 XXII(2)(A)(6). 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)(6). 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.

William J. Michael (#0070921), an attorney licensed to practice in the State of Ohio in good standing, has agreed to associate with Mr. Garver in this proceeding.

Attached are a copy of the certificate of *pro hac vice* registration for Mr. Garver furnished by the Supreme Court of Ohio Office of Attorney Services, a copy of the affidavit required by Gov. Bar R. XII(2)(A)(6), and a certificate indicating service of this Motion on all known parties and attorneys of record in this proceeding.

Mr. Garver 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, the Commission is respectfully requested to grant permission for Andrew S. Garver to appear *pro hac vice* before the Commission in this proceeding.

Respectfully submitted,

/s/ William J. Michael

William J. Michael (0070921)

Counsel of Record

Assistant Consumers' Counsel

Andrew S. Garver (PHV-10193-2017)

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William.michael@occ.ohio.gov

Andrew.garver@occ.ohio.gov

(will accept service via email)

Andrew S. Garver

252 N. Cassady Ave

Bexley, OH 43209

(Residential Address)

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion was served on the persons stated below
via electronic service, this 2nd day of March 2017.

/s/ William J. Michael

William J. Michael

Assistant Consumers' Counsel

SERVICE LIST

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Slessor@calfee.com	paul@carpenterlipps.com
jlang@calfee.com	sechler@carpenterlipps.com
tallexander@calfee.com	rick.sites@ohiohospitals.org
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THE SUPREME COURT of OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

Andrew S Garver

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

FOR PRO HAC VICE REGISTRATION

Andrew S. Garver, 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 page if necessary):

New York (4835955)

- 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):



Debra Jo Bingham, Notary Public
Union County, State of Ohio
My Commission Expires June 13, 2020

Andrew S Garver

SIGNATURE OF APPLICANT

Sworn to or affirmed before me and subscribed in my presence the 31st day of JANUARY,
20 17, in the state of OHIO and county of FRANKLIN.

Debra Jo Bingham

SIGNATURE OF NOTARY PUBLIC*

*Notary public's stamp/seal
and commission expiration
date are required.

THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

Andrew Garver

FOR PRO HAC VICE REGISTRATION

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

Certificate of
PRO HAC VICE
REGISTRATION

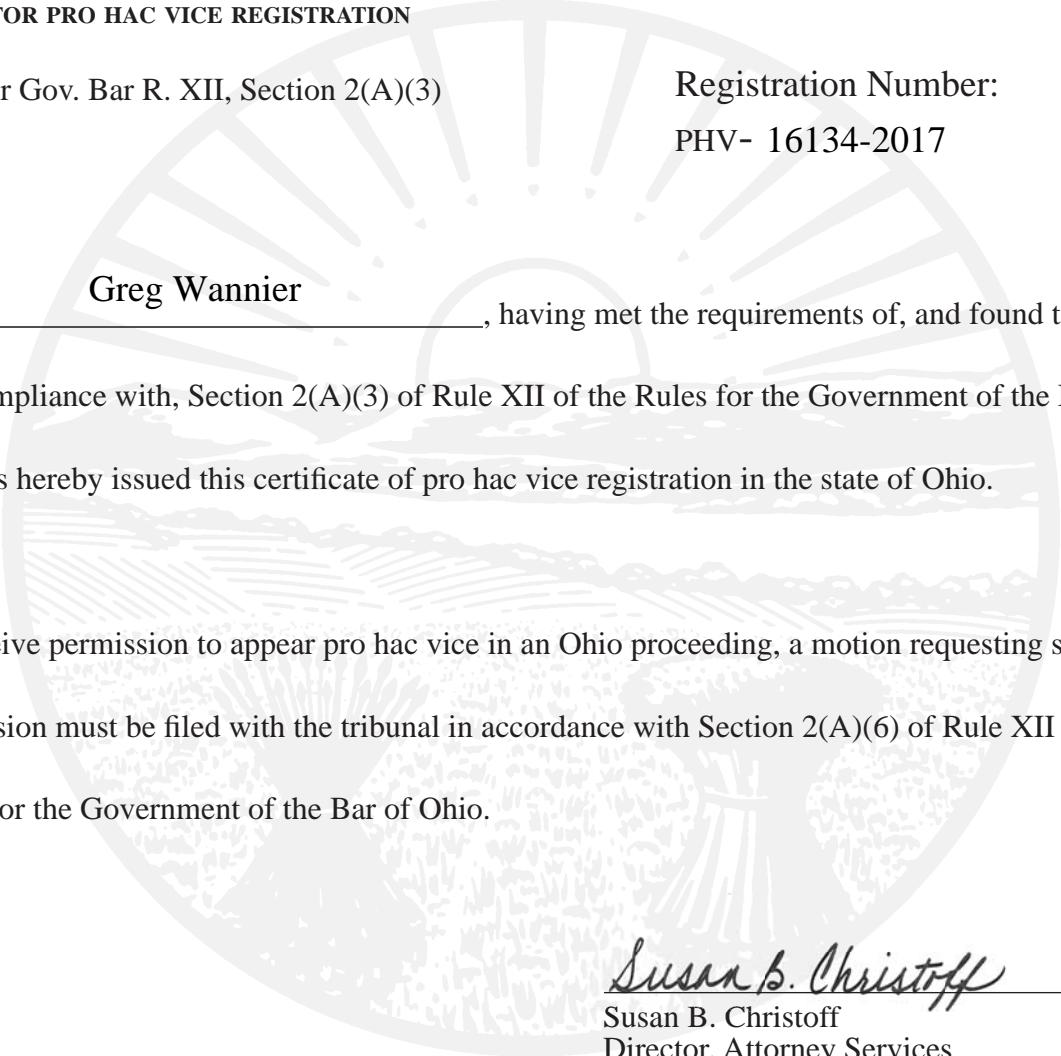
2017

Registration Number:
PHV- 10193-2017

Andrew Garver

_____, 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

Susan B. Christoff
Director, Attorney Services

Expires December 31, 2017

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/2/2017 4:39:31 PM

in

Case No(s). 16-0395-EL-SSO, 16-0396-EL-ATA, 16-0397-EL-AAM

Summary: Motion Motion Requesting Permission for Andrew S. Garver to Appear Pro Hac Vice before the Commission. electronically filed by Ms. Jamie Williams on behalf of Michael, William Mr.