

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1707**

In the Matter of
SIERRA CLUB,

Regarding violation of Protective Order No.
13-095.

MOTION BY SIERRA CLUB FOR
GLORIA D. SMITH TO APPEAR
PRO HAC VICE

In accordance with OAR 860-001-0320 and UTCR 3.170(1), Sierra Club hereby moves the Public Utility Commission of Oregon to admit Gloria D. Smith to appear *pro hac vice* on behalf of intervenor Sierra Club in the above captioned proceeding. Ms. Smith has associated with Kevin E. Parks, an attorney licensed to practice law and in good standing in the State of Oregon (Oregon Bar No. 096728) as co-counsel for this proceeding.

Attached hereto are (1) certificate of compliance for *pro hac vice* admission for Ms. Smith, and (1) certificate of the clerk of the Supreme Court of California indicating that Ms. Smith is admitted to practice law in California and is in good standing.

Ms. Smith is a full time employee of the Sierra Club, which is a non-profit corporation. UTCR 3.170(1) therefore does not require Ms. Smith to provide a certificate of professional liability insurance for admission *pro hac vice* because she will not be engaged in the private practice of law. UTCR 3.170(1)(e) ("If the attorney will engage in the private practice of law in this state provide a certificate of insurance covering the attorney's activities in this state and providing professional liability insurance substantially equivalent to the Oregon State Bar Professional Liability Fund plan."); ORS 9.08(2)(b) ("For purposes of paragraph (a) [establishing

authority to require professional liability insurance], an attorney is not engaged in the private practice of law if the attorney is a full-time employee of a corporation...")

WHEREFORE Sierra Club respectfully requests that the Commission grant admission *pro hac vice* to Gloria D. Smith for this proceeding.

Dated: September 9, 2014

Respectfully submitted,



Kevin E. Parks
Parks Law Offices, LLC
310 SW 4th Ave., Ste. 806
Portland, OR 97204
(503) 308-1080 Phone
(503) 972-1322 Fax
kevin@parks-law-offices.com

Attorney for Sierra Club

In re: Gloria D. Smith
Name of Out-of-State Attorney)

**Certificate of Compliance
For Pro Hac Vice Admission**

I, Gloria D. Smith (print name), am an attorney in the State of California
and I intend to seek *pro hac vice* admission in accordance with ORS 9.241 and UTCR 3.170 in the following Oregon court action or proceeding:


Case Name: In the Matter of SIERRA CLUB, Regarding violation of Protective Order No. 13-095.

Court: Public Utility Commission of Oregon Case No.: UM 1707

I certify that (check all that apply):

- I am an attorney in good standing in the State of California, as evidenced by the attached good standing certificate issued by the licensing authority in that state.
- I am not subject to any pending disciplinary proceedings in any jurisdiction; or
 I am subject to pending disciplinary proceedings in another jurisdiction, the nature and status of which are described in an attachment to this certificate.
- I intend to associate in the above-referenced action or proceeding with Kevin Parks, OSB No. 096728, an active member in good standing of the Oregon State Bar, who will participate meaningfully in the matter.
- I will comply with applicable statutes, laws, and procedural rules of the State of Oregon; be familiar with and comply with disciplinary rules of the Oregon State Bar; and submit to the jurisdiction of the Oregon courts and Oregon State Bar with respect to acts and omissions occurring during my *pro hac vice* admission.
- My private law practice activities in Oregon are covered by professional liability insurance substantially equivalent to the Oregon State Bar Professional Liability Fund plan, as evidenced by the attached certificate of insurance coverage.
- I agree, as a continuing obligation of *pro hac vice* admission, to notify the trial court promptly of any changes in my insurance coverage, or my admission or disciplinary status in any other jurisdiction.
- I will provide to the Oregon State Bar a copy of the order admitting me *pro hac vice* in the above-referenced matter when such an order is granted. In the event *pro hac vice* admission is revoked for any reason, I will promptly notify the Oregon State Bar.
- I submit \$500 to the Oregon State Bar as payment of the *pro hac vice* fee established by ORS 9.241 and the rules of the Oregon Supreme Court. I acknowledge that this fee is for a period of twelve months from the date of the Acknowledgment of Receipt issued below, and that an additional fee of \$500 will be required in order for me to continue my *pro hac vice* admission in the matter for every twelve-month period thereafter.

Dated this 8th day of September, 20 14.

X 
(Applicant Signature)

CA District 1 Bar No.: 200824
(Home Jurisdiction)

Mailing Address: Gloria Smith, Sierra Club Environmental Law Program
85 Second Street, 2nd Floor
San Francisco, CA 94105

Phone: 415-977-5532
FAX: 415-977-5793
Email: gloria.smith@sierraclub.org

Acknowledgment of Receipt

As Regulatory Services Counsel of the Oregon State Bar, I acknowledge receipt from the above-named out-of-state attorney of the Certificate of Compliance for Pro Hac Vice Admission and attachments, and the \$500 fee for pro hac vice appearance in the above-referenced Oregon action or proceeding. The fee is for a period of twelve months from the date of this acknowledgment.

Dated this _____ day of _____, 20 ____.

SEE MATERIALS ATTACHED:

Regulatory Services Counsel

Oregon State Bar Regulatory Services, PO Box 231935, Tigard, OR 97281-1935



Supreme Court of California

FRANK A. McGUIRE

Court Administrator and Clerk of the Supreme Court


**CERTIFICATE OF THE CLERK OF THE SUPREME COURT
OF THE
STATE OF CALIFORNIA**

GLORIA DIANTHA SMITH

I, FRANK A. McGUIRE, Clerk of the Supreme Court of the State of California, do hereby certify that GLORIA DIANTHA SMITH, #200824, was on the 2nd day of June, 1999, duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.

*Witness my hand and the seal of the court
on the 8th day of September, 2014.*

FRANK A. McGUIRE
Clerk of the Supreme Court

By: 

J. Radoc, Deputy Clerk

CERTIFICATE OF SERVICE


I hereby certify that on the date below, I served the foregoing **MOTION BY SIERRA CLUB FOR GLORIA D. SMITH TO APPEAR PRO HAC VICE** on the following parties via U.S. First Class mail, or by email where paper service has been waived:

**W=Waive Paper service C=Confidential
 HC=Highly Confidential**

W	PACIFIC POWER SARAH WALLACE (C) SENIOR COUNSEL	825 NE MULTNOMAH ST STE 1800 PORTLAND OR 97232 sarah.wallace@pacificorp.com
	PUC STAFF-- DEPARTMENT OF JUSTICE JASON W JONES (C) ASSISTANT ATTORNEY GENERAL	BUSINESS ACTIVITIES SECTION 1162 COURT ST NE SALEM OR 97301-4096 jason.w.iones@state.or.us
W	SIERRA CLUB LAW PROGRAM GLORIA D SMITH (C)	85 SECOND STREET SAN FRANCISCO CA 94105 gloria.smith@sierraclub.org

Dated this 9th day of September, 2014

PARKS LAW OFFICES, LLC

By: 
Kevin E. Parks, OSB # 096728
Of Attorney for Sierra Club