



January 26, 2015

**Via Electronic Filing and FedEx**

Public Utility Commission  
Attn: Filing Center  
3930 Fairview Industrial Drive SE  
Salem, OR 97308

Re: Docket No. UM 1712: Motion of Sierra Club for Gloria D. Smith and Travis Ritchie to Appear Pro Hac Vice

Please find enclosed the original and one (1) copy of the Motion of Sierra Club for Gloria D. Smith and Travis Ritchie to Appear Pro Hac Vice in the above-referenced docket. This document has been e-filed with the Commission and served on parties via email.

Please let me know if you have any questions. Thank you.

Respectfully submitted,

*/s/ Derek Nelson*

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Derek Nelson  
Legal Assistant  
Sierra Club Environmental Law Program  
85 Second St., 2nd Floor  
San Francisco, CA 94105  
(415) 977-5595  
derek.nelson@sierraclub.org

cc: Service List

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1712

In the Matter of  
  
PACIFICORP, dba PACIFIC POWER,  
Application for Approval of Deer Creek Mine  
Transaction

MOTION BY SIERRA CLUB FOR  
GLORIA D. SMITH AND TRAVIS  
RITCHIE 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 and Travis Ritchie to appear *pro hac vice* on behalf of intervenor Sierra Club in the above captioned proceeding. Ms. Smith and Mr. Ritchie have associated with Joshua Smith, an attorney licensed to practice law and in good standing in the State of Oregon (Oregon Bar No. 071757) as co-counsel for this proceeding.

Attached hereto are (2) certificates of compliance for *pro hac vice* admission for Ms. Smith and Mr. Ritchie and (2) certificates of the clerk of the Supreme Court of California indicating that Ms. Smith and Mr. Ritchie are admitted to practice law in California and are in good standing.

Ms. Smith and Mr. Ritchie are full time employees of the Sierra Club, which is a non-profit corporation. UTCR 3.170(1) therefore does not require counsel to provide a certificate of professional liability insurance for admission *pro hac vice* because they 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 and Travis Ritchie for this proceeding.

Dated: January 26, 2015

Respectfully submitted,

/s/ Joshua Smith

Joshua Smith  
Staff Attorney  
Sierra Club Environmental Law Program  
85 Second Street, 2nd Floor  
San Francisco, CA 94105  
(415)977-5560  
(415)977-5793 (fax)  
[joshua.smith@sierraclub.org](mailto:joshua.smith@sierraclub.org)

*Attorney for Sierra Club*

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

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

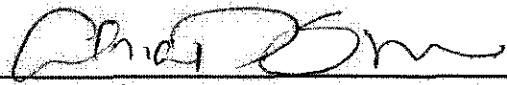
I, Gloria D. Smith (print name), am an attorney in the State of California  
and I intend to seek *pro hac vice* admission in accordance with ORS 9.241 and UTCR 3.170 in the following Oregon court action or proceeding:

Case Name: PACIFICORP, dba PACIFIC POWER, Application for Approval of Deer Creek Mine Transaction  
Court: Public Utility Commission of Oregon Case No.: UM 1712

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 Joshua Douglas Smith, OSB No. 071757, 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 15th day of January, 2015.

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

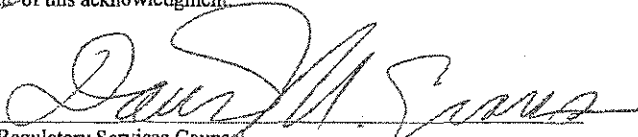
Phone: 415-977-5532  
FAX: 415-977-5793  
Email: gloria.smith@sierraclub.org

**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.

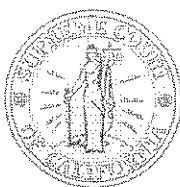
Dated this 16th day of January, 2015.

SEE MATERIALS ATTACHED:

  
Regulatory Services Counsel

Addendum to Certificate of Compliance for Admission *Pro Hac Vice*

Gloria D. Smith is a full time employee of the Sierra Club, which is a non-profit corporation and the entity Ms. Smith is seeking to represent *pro hac vice* in Oregon Public Utilities Commission Docket No. UM 1712. Ms. Smith therefore does not include a certificate of professional liability insurance with this application 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...").



# Supreme Court of California

FRANK A. McGUIRE  
*Court Administrator and Clerk of the Supreme Court*

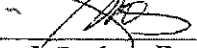
**CERTIFICATE OF THE CLERK OF THE SUPREME COURT**  
**OF THE**  
**STATE OF CALIFORNIA**

**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 26th day of January, 2015.*

FRANK A. McGUIRE  
*Clerk of the Supreme Court*

By:   
\_\_\_\_\_  
*J. Rader, Deputy Clerk*

In re: Travis Ritchie  
Name of Out-of-State Attorney

Certificate of Compliance  
For Pro Hac Vice Admission

I, Travis Ritchie (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: PACIFICORP, dba PACIFIC POWER, Application for Approval of Deer Creek Mine Transaction

Court: Public Utility Commission of Oregon

Case No.: UM 1712

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 Joshua Douglas Smith, OSB No. 071757, 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 15th day of January, 2015.

X   
(Applicant Signature)

CA District 1 Bar No.: 258084  
(Home Jurisdiction)

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


Phone: 415-977-5727  
FAX: 415-977-5793  
Email: travis.ritchie@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 16<sup>th</sup> day of January, 2015.

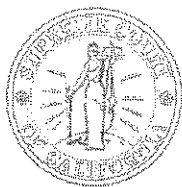
SEE MATERIALS ATTACHED:

  
Regulatory Services Counsel

Addendum to Certificate of Compliance for Admission *Pro Hac Vice*

Travis Ritchie is a full time employee of the Sierra Club, which is a non-profit corporation and the entity Mr. Ritchie is seeking to represent *pro hac vice* in Oregon Public Utilities Commission Docket No. UM 1712. Mr. Ritchie therefore does not include a certificate of professional liability insurance with this application because he 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...").





# 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

**TRAVIS MICHAEL RITCHIE**

*I, FRANK A. McGUIRE, Clerk of the Supreme Court of the State of California, do hereby certify that TRAVIS MICHAEL RITCHIE, #258084, was on the 2nd day of December, 2008, 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 26th day of January, 2015.*

FRANK A. McGUIRE  
*Clerk of the Supreme Court*

By: \_\_\_\_\_

*J. Raboe, Deputy Clerk*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of January, 2015, I caused to be served the foregoing MOTION BY SIERRA CLUB FOR GLORIA D. SMITH AND TRAVIS RITCHIE TO APPEAR PRO HAC VICE upon all party representatives on the official service list for this proceeding via electronic mail.

**Sarah Wallace (C)**  
Pacific Power  
825 NE MULTNOMAH ST, STE 1800  
PORTLAND OR 97232  
sarah.wallace@pacificcorp.com  
**Waive Paper Service**

**Oregon Dockets (C)**  
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oregondockets@pacificcorp.com  
**Waive Paper Service**

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Public Utility Commission of Oregon  
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**Waive Paper Service**

**Jason W. Jones (C)**  
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**Robert Jenks (C)**  
**G. Catriona McCracken (C)**  
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**Bradley G. Mullins (C)**  
**Jesse E. Cowell (C)**  
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jec@dvclaw.com  
**Waive Paper Service**

Dated this 26<sup>th</sup> day of January, 2015 at San Francisco, CA.

*/s/ Derek Nelson*

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Derek Nelson  
Legal Assistant  
Sierra Club Environmental Law Program  
85 Second St., 2<sup>nd</sup> Floor  
San Francisco, CA 94105  
(415) 977-5595  
derek.nelson@sierraclub.org