

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

Docket No. UM 1897

In the Matter of the Application of Hydro One Limited (acting through its indirect Subsidiary Olympus Equity LLC) for an Order Authorizing Hydro One Limited To Exercise Substantial Influence Over the Policies and Actions of Avista Corporation

MOTION TO ADMIT COUNSEL *PRO HAC VICE*

Pursuant to OAR 860-001-0320 and UTCR 3.170, the Laborers' International Union of North America, its affiliated District Council, and Local Unions serving or located in Oregon ("District Council"), moves to admit David William Masamitsu Fujimoto, a member in good standing of the California State Bar, as counsel *pro hac vice* in the proceedings before the Oregon Public Utility Commission in this docket.

In support of this motion, the District Council has attached the affidavit of David W. M. Fujimoto.

Dated this 25th day of October 2017.

Respectfully submitted,

/s/ Charles D. Colett
Charles D. Colett, OSB# 791916
Attorney for the District Council

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AFFIDAVIT OF DAVID W. M. FUJIMOTO
IN SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE*

I, David W. M. Fujimoto, being first duly sworn on oath, depose and say:

1. My full name is David William Masamitsu Fujimoto.
2. I am admitted to practice law in the state of California and am an attorney in good standing in that jurisdiction. Attached to this Affidavit as Attachment 2 is a true and correct copy of a certificate showing that I am an attorney in good standing in California. I am not subject to any pending disciplinary proceedings in California.
3. In this matter I will associate with Charles D. Colett, Oregon State Bar No. 791916, who, to the best of my knowledge, is an active member in good standing of the Oregon State Bar. In accordance with UTCR 3.170, Charles D. Colett will participate meaningfully in this docket.
4. I will comply with applicable statutes, laws and procedural rules of the State of Oregon. I will be familiar with and comply with the Oregon Rules of Professional Conduct. I will submit to the jurisdiction of the Oregon courts and

the Oregon State Bar with respect to acts and omissions occurring during my *pro hac vice* admission in this proceeding.

5. I have attached, as Attachment 3, an insurance declaration covering my activities in Oregon and providing professional liability insurance substantially equivalent to the Oregon State Bar Professional Liability Fund plan. Although my name does not appear on the attached insurance declaration, I am an employee of Weinberg, Roger & Rosenfeld and am covered by the firm's policy set forth on the attached insurance declaration. I agree, as a continuing obligation under UTCR 3.170, to notify the Oregon Public Utility Commission promptly of any changes in my insurance or status.

I declare under penalty of perjury under the laws of the state of Oregon that the foregoing is true and correct based on my information and belief.

Signed this 24 day of October 2017 at Alameda, California.

Signed:



David W. M. Fujimoto

Attachment 1

Attachment 1

In re: David William Masamitsu Fujimoto
Name of Out-of-State Attorney

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

I, David William Masamitsu Fujimoto (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: In the Matter of the Application of Hydro One Limited (acting through its indirect Subsidiary
Olympus Equity LLC) for an Order Authorizing Hydro One Limited To Exercise Substantial
Case Name: Influence Over the Policies and Actions of Avista Corporation

Court: Oregon Public Utility Commission

Case No.: UM 1897

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 Charles D. Colett, OSB No. 791916, 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 16th day of October, 2017.

X 
(Applicant Signature)

California Bar No.: 299316
(Home Jurisdiction)

Mailing Address: Weinberg, Roger & Rosenfeld
1001 Marina Village Pkwy, Ste 200
Alameda, CA 94501

Phone: 510-337-1001
FAX: 510-337-1023
Email: dfujimoto@unioncounsel.net

Acknowledgment of Receipt

As Director of Regulatory Services 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 20th day of October, 2017.

SEE MATERIALS ATTACHED:


Dawn Evans, Director of Regulatory Services

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

Note that the professional liability coverage deductible substantially exceeds that of the PLF.

Attachment 2

Attachment 2



THE STATE BAR OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

October 4, 2017

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DAVID WILLIAM MASAMITSU FUJIMOTO, #299316 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 2014; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in blue ink that reads "Louise Turner".

Louise Turner
Custodian of Membership Records

Attachment 3

Attachment 3

DECLARATIONS

LAWYERS PRIMARY LIABILITY POLICY
HUDSON SPECIALTY INSURANCE COMPANY

Policy Number
ATL4000254

ATL4000145
Renewal of Number

INSURER(S): Hudson Specialty Insurance Company

100% part of each dollar of limit and premium expressed hereon and of payment thereunder

DECLARATIONS

ITEM 1. NAMED ASSURED AND MAILING ADDRESS

Weinberg, Roger & Rosenfeld, A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, CA 94501

Agent No.: 139

ITEM 2. POLICY PERIOD From: December 15, 2016 To: December 15, 2017

12:01 A.M. Standard Time at the **NAMED ASSURED'S** mailing address.

ITEM 3. Limits of Liability:
Each and every **CLAIM** including **CLAIMS EXPENSES** \$ 5,000,000
In the Aggregate including **CLAIMS EXPENSES** \$ 5,000,000

ITEM 4. Retention:
Each and every **CLAIM** including **CLAIMS EXPENSES** \$ 100,000
In the Aggregate including **CLAIMS EXPENSES** \$ _____
(Amount to be borne by Assured, including **CLAIMS EXPENSES**)

ITEM 5. Premium \$ 104,530

ITEM 6. **RETROACTIVE DATE:** Full Prior Acts

ITEM 7. Notice of Claim shall be given to: Mendes & Mount, LLP
750 Seventh Avenue
New York, NY 10019
Attn: James Delucia
james.delucia@mendes.com

ITEM 8. Service of Suit shall be given to: See Service of Suit Endorsement Attached

ITEM 9. Notice of Election: _____
(Entity)

ITEM 10. Date of Application: December 8, 2016

ITEM 11. Endorsements Attaching Hereto:
(Attached on second page)

THIS IS A CLAIMS MADE AND REPORTED IN WRITING POLICY. PLEASE READ IT CAREFULLY.