

**BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
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CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255

TELECOPIER (513) 421-2764

**Via Electronic Mail - [puc.filingcenter@state.or.us](mailto:puc.filingcenter@state.or.us)**

July 26, 2018

Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
Salem, Oregon 97301-3398  
Attn: Filing Center

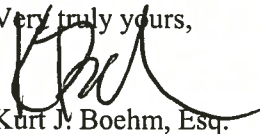
**Re: Case No. UM 1920**

Dear Sir or Madam:

Please find attached the MOTION FOR ADMISSION PRO HAC VICE with CERTIFICATES OF COMPLIANCE AND AFFIDAVITS OF KURT J. BOEHM AND JODY KYLER on behalf of THE KROGER CO. AND QUALITY FOOD CENTERS, DIVISION OF THE FRED MEYER STORES, INC. for filing in the above referenced matter.

Copies have been served on all parties of record. Please place this document of file.

Very truly yours,



Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

Ian A. Ford, Esq., (OSB 960638)

**FRED MEYER STORES, INC./THE KROGER CO.**

KJBkew  
Enclosure  
cc: Certificate of Service

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**


**UM 1920**

In The Matter Of Application of	:	MOTION FOR ADMISSION PRO HAC VICE AND
PORTLAND GENERAL ELECTRIC	:	AFFIDAVITS OF KURT J. BOEHM and JODY KYLER
COMPANY For An Order Approving The	:	COHN, COUNSEL FOR THE FRED MEYER STORES,
Deferral Of 2018 Net Benefits Associated	:	INC., A WHOLLY OWNED SUBSIDIARY OF THE
With The U.S. Tax Reconciliation Act	:	KROGER CO. AND QUALITY FOOD CENTERS, A
	:	DIVISION OF THE FRED MEYER STORES, INC.

---

NOW COMES Ian V. Ford, an attorney licensed to practice law in the State of Oregon, and hereby moves the Commission to permit Kurt J. Boehm, Esq. and Jody Kyler Cohn, Esq. to appear and participate as co-counsel for Intervenor Fred Meyer Stores, Inc. a subsidiary of The Kroger Co. and Quality Food Centers, a Division of the Fred Meyer Stores, Inc. in the above-captioned case. The reasons for this Motion are set forth in the attached Memorandum in Support.

Respectfully submitted,



---

Ian V. Ford, Esq. (OSB 960638)  
Corporate Counsel  
Fred Meyer Stores, Inc. / The Kroger Co.  
3800 SE 22nd Avenue  
Portland OR 97202  
Ph: 503.797.3524 Fax: 503.797.5623  
[ian.ford@kroger.com](mailto:ian.ford@kroger.com)

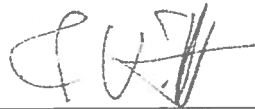
July 24, 2018

**MEMORANDUM IN SUPPORT**

Ian Ford, an attorney licensed to practice law in the State of Oregon, hereby moves the Commission to permit Kurt J. Boehm, Esq. and Jody Kyler Cohn, Esq. to appear and participate as counsel before this Commission in all proceedings in this matter. Kurt J. Boehm, Esq. is a licensed attorney in good standing in Ohio and Kentucky. Jody Kyler Cohn is a licensed attorney in good standing in Ohio and Kentucky. Copies of Certificates of Good Standing from each jurisdiction in which the applicants are licensed are attached. Applicants also attach a Certificate of Liability Insurance verifying that the applicants are insured.

Thus, the Commission should grant this Motion for Admission Pro Hac Vice.

Respectfully submitted,



---

Ian V. Ford, Esq. (OSB 960638)  
Corporate Counsel  
Fred Meyer Stores, Inc. / The Kroger Co.  
3800 SE 22nd Avenue  
Portland OR 97202  
Ph: 503.797.3524 Fax: 503.797.5623  
[ian.ford@kroger.com](mailto:ian.ford@kroger.com)

July 24, 2018

In re: Kurt J. Boehm  
Name of Out-of-State Attorney

Certificate of Compliance  
For Pro Hac Vice Admission

I, Kurt J. Boehm (print name), am an attorney in the State of Ohio and Kentucky 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: Portland General Electric Application for Order Approving Deferral of 2018 Net Benefits Associated with the U.S. Tax Reconciliation Act

Court: Public Utility Commission Case No.: UM 1920

I certify that (check all that apply):

- I am an attorney in good standing in the State of Ohio and Kentucky, 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 Ian V. Ford, OSB No. 960638, 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 26 day of July, 20 18.

X [Signature]  
(Applicant Signature)

Ohio Bar No.: 0076047  
(Home Jurisdiction)

Mailing Address: Boehm, Kurtz & Lowry  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202

Phone: 513.421.2255  
FAX: 513.421.2764  
Email: kboehm@bkllawfirm.com

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 \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

SEE MATERIALS ATTACHED:

\_\_\_\_\_  
Dawn Evans, Director of Regulatory Services

# The Supreme Court of Ohio

## CERTIFICATE OF GOOD STANDING

I, GINA WHITE PALMER, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

**Kurt Joseph Boehm**  
Attorney Registration No. 0076047

was admitted to the practice of law in Ohio on May 9, 2003; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have  
subscribed my name and affixed the seal of the  
Supreme Court, this 13th day of July, 2018.

GINA WHITE PALMER  
*Director, Attorney Services Division*

  
Lei Moore  
*Administrative Assistant*



No. 2018-07-13-1

Verify by email at [GoodStandingRequests@sc.ohio.gov](mailto:GoodStandingRequests@sc.ohio.gov)

# KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET  
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FAX (502) 564-3225

[www.kybar.org](http://www.kybar.org)

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Todd V. McMurtry

J. D. Meyer

Eileen M. O'Brien

W. Fletcher Schrock

Gary J. Sergeant

Bobby C. Simpson

Van F. Sims

Judge John F. Vincent



## *THIS IS TO CERTIFY THAT*

***KURT JOSEPH BOEHM***

*Boehm Kurtz & Lowry*

*36 East Seventh Street, Suite 1510*

*Cincinnati, Ohio 45202-4454*

***Membership No. 89327***

*is an active member in good standing with the Kentucky Bar Association as required by the Rules of the Supreme Court of Kentucky. Dated this 13<sup>th</sup> day of July, 2018.*

***JOHN D. MEYERS***

***REGISTRAR***



By:

*Michele Pogrotsky*  
***Michele M. Pogrotsky, Deputy Registrar***

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1920**

In The Matter Of Application of PORTLAND  
GENERAL ELECTRIC COMPANY For An Order  
Approving The Deferral Of 2018 Net Benefits  
Associated With The U.S. Tax Reconciliation Act

AFFIDAVIT OF KURT J. BOEHM, COUNSEL  
FOR FRED MEYER STORES, INC., A  
SUBSIDIARY OF THE KROGER CO. AND  
QUALITY FOOD CENTERS, A DIVISION OF  
THE FRED MEYER STORES, INC.

---

STATE OF OHIO   )  
   ) SS  
COUNTY OF HAMILTON   )

Kurt J. Boehm, Esq., being duly sworn, deposes and states that the following is true to his personal knowledge and belief:

1. Kurt J. Boehm, Esq., counsel for The Kroger Co. certifies that he is not subject to pending disciplinary proceedings in any other jurisdiction.
  
2. Kurt J. Boehm will associate with Ian V. Ford. Mr. Ford, an attorney licensed to practice law in the State of Oregon, will participate meaningfully in the above-referenced matter. Mr. Ford's contact information is below and he should be added to the Commission's Certificate of Service.

Ian V. Ford, Esq. (OSB 960638)  
Corporate Counsel  
Fred Meyer Stores, Inc. / The Kroger Co.  
3800 SE 22nd Avenue  
Portland OR 97202  
Ph: 503.797.3524 Fax: 503.797.5623  
[ian.ford@kroger.com](mailto:ian.ford@kroger.com)

3. Kurt J. Boehm, Esq. will comply with all applicable statutes, law and procedural rules of the State of Oregon.
4. Counsel will notify the trial court or administrative body promptly of any changes in insurance or status.

Respectfully submitted,



Kurt J. Boehm, Esq.

**BOEHM, KURTZ & LOWRY**

36 E. Seventh St., Suite 1510

Cincinnati, Ohio 45202

Ph: 513.421.2255 Fax: 513.421.2764

[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)

Sworn to and subscribed before me on this  
26 day of July, 2018.



Notary Public



Kimberly Walton  
Notary Public, State of Ohio  
My Commission Expires 08-28-2019



In re: Jody Kyler Cohn  
Name of Out-of-State Attorney )

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

I, Jody Kyler cohn (print name), am an attorney in the State of Ohio and Kentucky  
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:

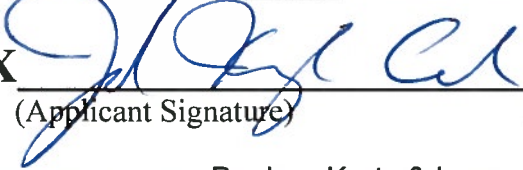
Case Name: Portland General Electric Application for Order Approving Deferral of 2018 Net Benefits Associated with the U.S. Tax Reconciliation Act

Court: Public Utility Commission Case No.: UM 1920

I certify that (check all that apply):

- I am an attorney in good standing in the State of Ohio and Kentucky, 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 Ian V. Ford, OSB No. 960638, 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 26 day of July, 20 18.

X   
(Applicant Signature)

Ohio Bar No.: 0085402  
(Home Jurisdiction)

Mailing Address: Boehm, Kurtz & Lowry  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202

Phone: 513.421.2255  
FAX: 513.421.2764  
Email: jkylercohn@bklawfirm.com

**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 \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

SEE MATERIALS ATTACHED:

\_\_\_\_\_  
Dawn Evans, Director of Regulatory Services

# The Supreme Court of Ohio

## CERTIFICATE OF GOOD STANDING

I, GINA WHITE PALMER, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

**Jody Michelle Kyler Cohn**  
Attorney Registration No. **0085402**

was admitted to the practice of law in Ohio on November 9, 2009; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have  
subscribed my name and affixed the seal of the  
Supreme Court, this 13th day of July, 2018.

GINA WHITE PALMER  
*Director, Attorney Services Division*

  
Lei Moore  
*Administrative Assistant*



No. 2018-07-13-1

Verify by email at [GoodStandingRequests@sc.ohio.gov](mailto:GoodStandingRequests@sc.ohio.gov)

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J. Stephen Smith  
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Thomas N. Kerrick  
Vice President

William R. Garmer  
Immediate Past President

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J. D. Meyer  
Eileen M. O'Brien  
W. Fletcher Schrock  
Gary J. Sergeant  
Bobby C. Simpson  
Van F. Sims  
Judge John F. Vincent



*THIS IS TO CERTIFY THAT*

**JODY MICHELLE KYLER COHN**

*Boehm Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202-4454*

**Membership No. 94725**

*is an active member in good standing with the Kentucky Bar Association as required by the Rules of the Supreme Court of Kentucky. Dated this 13<sup>th</sup> day of July, 2018.*

**JOHN D. MEYERS  
REGISTRAR**



By:

*Michele Pogrotsky*  
**Michele M. Pogrotsky, Deputy Registrar**

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1920**

In The Matter Of Application of PORTLAND  
GENERAL ELECTRIC COMPANY For An Order  
Approving The Deferral Of 2018 Net Benefits  
Associated With The U.S. Tax Reconciliation Act

AFFIDAVIT OF JODY KYLER COHN, COUNSEL  
FOR FRED MEYER STORES, INC., A  
SUBSIDIARY OF THE KROGER CO. AND  
QUALITY FOOD CENTERS, A DIVISION OF  
THE FRED MEYER STORES, INC.

---

STATE OF OHIO                                 )  
  ) SS  
COUNTY OF HAMILTON                     )

Jody Kyler Cohn, Esq., being duly sworn, deposes and states that the following is true to her personal knowledge and belief:

1. Jody Kyler Cohn, Esq., counsel for The Kroger Co. certifies that she is not subject to pending disciplinary proceedings in any other jurisdiction.
  
2. Jody Kyler Cohn will associate with Ian V. Ford. Mr. Ford, an attorney licensed to practice law in the State of Oregon, will participate meaningfully in the above-referenced matter. Mr. Ford's contact information is below and he should be added to the Commission's Certificate of Service.

Ian V. Ford, Esq. (OSB 960638)  
Corporate Counsel  
Fred Meyer Stores, Inc. / The Kroger Co.  
3800 SE 22nd Avenue  
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Ph: 503.797.3524 Fax: 503.797.5623  
[ian.ford@kroger.com](mailto:ian.ford@kroger.com)

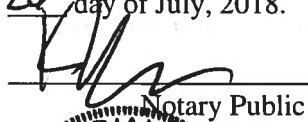
3. Jody Kyler Cohn, Esq. will comply with all applicable statutes, law and procedural rules of the State of Oregon.
4. Counsel will notify the trial court or administrative body promptly of any changes in insurance or status.

Respectfully submitted,



Jody Kyler Cohn, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 Fax: 513.421.2764  
[jkylern@bklawfirm.com](mailto:jkylern@bklawfirm.com)

Sworn to and subscribed before me on this  
26 day of July, 2018.



Notary Public



**Kimberly Walton**  
Notary Public, State of Ohio  
My Commission Expires 08-28-2019

**DECLARATIONS****PROFESSIONAL LIABILITY POLICY****(THIS IS A CLAIMS-MADE AND REPORTED POLICY, READ CAREFULLY)**Policy No. **F310381**Firm Number: **1223623**

Item 1. Named Insured(s) and Office Address:

**Boehm Kurtz & Lowry  
36 E Seventh St  
Ste 1510  
Cincinnati, OH 45202**Item 2. **Policy Period:** From: **July 1, 2018** To: **July 1, 2019 12:01 A.M.**,  
Eastern Standard Time at the address of Named Insured as stated hereinItem 3. Limits of Liability: **\$5,000,000** to all claims arising out of the same,  
related or continuing "**Professional Services**"**\$5,000,000** aggregate per policy periodItem 4. Deductible Amount: **\$25,000**  
(Includes Claims Expense)

Item 5. Total Policy Premium

## CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served via electronic mail, unless otherwise noted, this 26<sup>th</sup> day of July, 2018.

  
Kuf J. Boehm, Esq.  
Jody Kyler Cohn, Esq.

OREGON CITIZENS' UTILITY BOARD

610 SW BROADWAY, STE 400  
PORTLAND OR 97205  
dockets@oregoncub.org

PGE RATES & REGULATORY AFFAIRS

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1WTC0306  
PORTLAND OR 97204  
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PUBLIC UTILITY COMMISSION OF OREGON

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mike@oregoncub.org

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### AWEC

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