

August 29, 2006

VIA ELECTRONIC MAIL AND US MAIL

Filing Center
Oregon Public Utility Commission
550 Capitol Street NE #215
PO Box 2148
Salem, OR 97308-2148

Re: ARB 665 – Level 3 Communications, LLC’s Motion to Allow Scott Porter to Appear *Pro Hac Vice*

Dear Sir or Madam:

Enclosed for filing in the above-referenced docket is Level 3 Communications, LLC’s Motion to Allow Scott Porter to Appear *Pro Hac Vice*. Please contact me with any questions.

Very truly yours,


Wendy L. Martin

Enclosure

cc: ARB 665 Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**

2 **OF OREGON**

3 **ARB 665**

4 In the Matter of

5 LEVEL 3 COMMUNICATIONS, INC's

6 Petition for Arbitration Pursuant to Section
7 252(b) of the Communications Act of 1934,
8 as amended by the Telecommunications Act
9 of 1996, and the Applicable State Laws for
10 Rates, Terms, and Conditions of
Interconnection with Qwest Corporation

**MOTION TO ALLOW SCOTT
PORTER TO APPEAR *PRO HAC*
*VICE***

11 Level 3 Communications, Inc. ("Level 3") respectfully moves to allow Scott Porter to
12 appear *pro hac vice* on behalf of Level 3.

13 This motion is supported by a Certificate of Good Standing from the Bar of Oklahoma
14 and a Certificate of Compliance for *Pro Hac Vice* Admission, attached hereto as Appendices (A)
15 and (B).

16 Respectfully submitted this 29th day of August, 2006.

17 ATER WYNNE, LLP

18
19 By: 15/ Lisa F. Rackner
20 Lisa F. Rackner, OSB No. 87384
21 E-mail: lfr@aterwynne.com
22 Of Attorneys for Level 3
23
24
25
26



Oklahoma Bar Association

1901 North Lincoln Boulevard • P.O. Box 53036 • Oklahoma City, OK 73152-3036 • 405/416-7000 • www.okbar.org

- Dan Murdock**
General Counsel
- Mike Speegle**
Asst. General Counsel
- Loraine D. Farabow**
Asst. General Counsel
- Janis Hubbard**
Asst. General Counsel
- Robert D. Hanks**
Senior Investigator
- Ray Page**
Investigator
- Sharon Orth**
Investigator
- Dorothy Walos**
Investigator

CERTIFICATE

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

Dan Murdock, being duly sworn, deposes and says:

That he is the General Counsel of the Oklahoma Bar Association, under the Rules Creating and Controlling the Oklahoma Bar Association as adopted and promulgated by the Supreme Court of the State of Oklahoma, and as such has access to the records and files showing the date of admission and the standing of all attorneys admitted to practice by the Supreme Court.

That SCOTT LAMBERT PORTER, OBA #17123, was admitted to the practice of law by the Supreme Court of Oklahoma on September 27, 1996, and is an active member in good standing of the Oklahoma Bar Association.

Dan Murdock, General Counsel

Subscribed and sworn to before me this 28th day of August, 2006.

My Commission Expires:

July 18, 2009

01012010

Commission Number



In re: Scott Porter
Name of Out-of-State Attorney

Certificate of Compliance For Pro Hac Vice Admission

I, Scott Porter (print name), am an attorney in the State of Oklahoma 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: Level 3's Petition for Arbitration with Qwest
Court: OPUC Case No.: ARB 665

I certify that (check all that apply):

- I am an attorney in good standing in the State of Oklahoma, 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 Lisa Racknen, OSB No. 87384, 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 \$250 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 \$250 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 28 day of August, 2006.

X [Signature]
(Applicant Signature)

Oklahoma Bar No.: 17123
(Home Jurisdiction)

Mailing Address: 1207 E. 22nd Pl
Tulsa OK 74114

Phone: 918-749-3413
FAX: 918-547-9446
Email: scott.porter@level3.com

Acknowledgment of Receipt

I, Jeffrey D. Sapiro, Regulatory Services Counsel of the Oregon State Bar, acknowledge receipt from the above-named out-of-state attorney of the Certificate of Compliance for Pro Hac Vice Admission and attachments, and the \$250 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:

Jeffrey D. Sapiro, Regulatory Services Counsel

**CERTIFICATE OF SERVICE
ARB 665**

I hereby certify that a true and correct copy of **MOTION TO ALLOW SCOTT PORTER TO APPEAR PRO HAC VICE** was served via U.S. Mail on the following parties on August 29, 2006:

Thomas M. Dethlefs
Qwest Corporation
1801 California Street, 10th Floor
Denver CO 80202

Alex M. Duarte
Qwest Corporation
Suite 810
421 SW Oak Street
Portland OR 97204

ATER WYNNE LLP


Wendy L. Martin