



April 29, 2020

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem, OR 97301

**Re: Docket No. UE 375 Motion by Sierra Club for Rose Monahan to Appear
*Pro Hac Vice***

Enclosed please find the Motion by Sierra Club for Rose Monahan to Appear *Pro Hac Vice* and accompanying documents in Docket No. UE 375. If you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully submitted,

Ana Boyd
Research Analyst
Sierra Club Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
415-977-5649
ana.boyd@sierraclub.org

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 375

In the Matter of

PACIFICORP d/b/a PACIFIC POWER,

2021 Transition Adjustment Mechanism

MOTION BY SIERRA CLUB FOR
ROSE MONAHAN 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 Rose Monahan to appear *pro hac vice* on behalf of intervenor Sierra Club in the above captioned proceeding. Ms. Monahan has associated with Joshua Smith, an attorney licensed to practice law and in good standing in the State of Oregon (Oregon Bar No. 071757).

Attached hereto are a certificate of compliance for *pro hac vice* admission for Ms. Monahan, a certificate of the clerk of the Supreme Court of California indicating that Ms. Monahan is admitted to practice law in California and is in good standing, and a signed statement from Ms. Monahan in support of this motion.

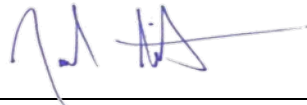
Ms. Monahan is a full time employee of the Sierra Club, which is a non-profit corporation. UTCR 3.170(1) therefore does not require counsel to provide a certificate of professional liability insurance for admission *pro hac vice* because they will not be engaged in the private practice of law. UTCR 3.170(1)(e) ("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 Rose Monahan for this proceeding.

Dated: April 29, 2020

Respectfully submitted,



Joshua Smith
Senior Attorney
Sierra Club Environmental Law Program
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Oakland, CA 94612
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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 375

In the Matter of

PACIFICORP d/b/a PACIFIC POWER,

2021 Transition Adjustment Mechanism

STATEMENT OF ROSE MONAHAN

I, Rose Monahan state as follows:

1. My name is Rose Monahan. I am an attorney with Sierra Club, 2101 Webster Street, Suite 1300, Oakland, CA 94612 and counsel to intervenor Sierra Club in the above-captioned action.
2. I am an active member in good standing of the State Bar of California, and my California Bar No. is 329861. I have attached a certificate of good standing from the California Supreme Court to this filing. I am also an active member in good standing of the State Bar of Pennsylvania (PA Bar No. 322807). I certify that no disciplinary actions are pending against me in either jurisdiction.
3. If granted permission to practice *pro hac vice* before the Oregon Public Utilities Commission in this proceeding, I will associate with Joshua Smith. Joshua Smith (Oregon Bar No 071757) is an active member in good standing of the Oregon State Bar, who will participate meaningfully in this proceeding.

4. I acknowledge that I am subject to all applicable rules of the Oregon State Bar and I will comply with all applicable laws, statutes, and procedural rules of the State of Oregon.

Signed this 29th day of April, 2020.



Rose Monahan

In re: Rose Monahan

Name of Out-of-State Attorney

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

I, Rose Monahan (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 UCR 3.170 in the following Oregon court action or proceeding:

Case Name: In the Matter of PACIFICORP, dba PACIFIC POWER, 2021 Transition Adjustment Mechanism

Court: Public Utility Commission of Oregon

Case No.: UE 375

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 29 day of April, 20 20.

X R Monahan
(Applicant Signature)

California District 1 Bar No.: 329861
(Home Jurisdiction)

Mailing Address: Sierra Club
2101 Webster St., Ste. 1300
Oakland, CA 94612

Phone: (415) 977-5704
FAX: (510) 208-3140
Email: rose.monahan@sierraclub.org

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:

Courtney C. Dippel, Director of Regulatory Services



Supreme Court of California

JORGE E. NAVARRETE

Clerk and Executive Officer of the Supreme Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT

OF THE

STATE OF CALIFORNIA

ROSE K. MONAHAN

I, JORGE E. NAVARRETE, Clerk/Executive Officer of the Supreme Court of the State of California, do hereby certify that ROSE K. MONAHAN, #329861, was on the 7th day of January 2020, 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 20th day of April 2020.*

JORGE E. NAVARRETE

Clerk/Executive Officer of the Supreme Court

By:

A handwritten signature in blue ink, appearing to read "C. Wong", is written over a horizontal line.

C. Wong Senior Deputy Clerk