



March 12, 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 374 Motion by Sierra Club for Gloria D. Smith to Appear
*Pro Hac Vice***

Enclosed please find the Motion by Sierra Club for Gloria D. Smith to Appear *Pro Hac Vice* and accompanying documents in Docket No. UE 374. If you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "AMB".

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 374

In the Matter of
PACIFICORP d/b/a PACIFIC POWER,
Request for a General Rate Revision

MOTION BY SIERRA CLUB FOR
GLORIA D. SMITH 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 to appear *pro hac vice* on behalf of intervenor Sierra Club in the above captioned proceeding. Ms. Smith 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. Smith, a certificate of the clerk of the Supreme Court of California indicating that Ms. Smith is admitted to practice law in California and is in good standing, and an affidavit of Ms. Smith in support of this motion.

Ms. Smith 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 Gloria D. Smith for this proceeding.

Dated: March 11, 2020

Respectfully submitted,



Joshua Smith
Senior Attorney
Sierra Club Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
(415)977-5560
joshua.smith@sierraclub.org

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: In the Matter of PacifiCorp, Request for General Rate Revision

Court: Public Utility Commission of Oregon Case No.: UE 374

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 9 day of March, 20 20.

X 
(Applicant Signature)

California District 1 Bar No.: 200824
(Home Jurisdiction)

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

Phone: (415) 977-5532
FAX: (510) 208-3140
Email: gloria.smith@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

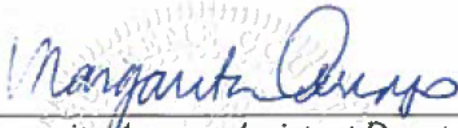
CERTIFICATE OF THE CLERK OF THE SUPREME COURT
OF THE
STATE OF CALIFORNIA

GLORIA DIANTHA SMITH

*I, JORGE E. NAVARRETE, Clerk/Executive Officer 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 11th day of MARCH 2020.*

JORGE E. NAVARRETE
Clerk/Executive Officer of the Supreme Court

By: 
Margarita Arroyo, Assistant Deputy Clerk



**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UE 374

In the Matter of
PACIFICORP d/b/a PACIFIC POWER,
Request for a General Rate Revision

AFFIDAVIT OF GLORIA D. SMITH

STATE OF CALIFORNIA)
COUNTY OF ALAMEDA) ss:
)

I, Gloria D. Smith state as follows:

1. My name is Gloria Smith. I am an attorney with Sierra Club, 2010 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 200824. I certify that no disciplinary actions are pending against me.

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.

CS 10
Signed this 10 day of March, 2020.

Gloria D. Smith

Gloria D. Smith

The above and foregoing Affidavit was subscribed and sworn to or affirmed before me
this _____ day of _____, 20____, by Gloria D. Smith.

*See attached CA
Writ Certificate*

[Notary Public in and for the]
State of California

My commission expires

**CALIFORNIA
JURAT CERTIFICATE**

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

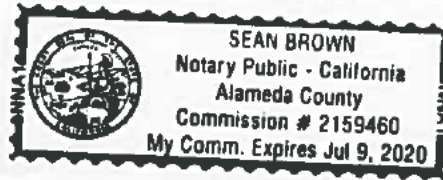
County of Alameda

Subscribed and sworn to (or affirmed) before me on this 10th day of March
20 20, by Gloria Smith

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

WITNESS MY HAND AND OFFICIAL SEAL.

Sean Brown
Signature of Notary Public



(Notary Seal)

OPTIONAL INFORMATION

The jurat contained within this document is in accordance with California law. Any affidavit subscribed and sworn to before a notary shall use the preceding wording or substantially similar wording pursuant to Civil Code sections 1189 and 8202. A jurat certificate cannot be affixed to a document sent by mail or otherwise delivered to a notary public, including electronic means, whereby the signer did not personally appear before the notary public, even if the signer is known by the notary public. The seal and signature cannot be affixed to a document without the correct notarial wording. As an additional option an affiant can produce an affidavit on the same document as the notarial certificate wording to eliminate the use of additional documentation.

DESCRIPTION OF ATTACHED DOCUMENT

OR Pro hoc Vice
(Title of document)

Number of Pages 2 (Including jurat)

Document Date 3/10/2020

(Additional Information)

CAPACITY CLAIMED BY THE SIGNER

- Individual
- Corporate Officer
- Partner
- Attorney-In-Fact
- Trustee
- Other: _____