

July 18, 2011

Filing Center
Oregon Public Utility Commission
PO Box 2148
Salem OR 97308-2148

Re: UM 1017(3) – TRACER Motion to Allow Arthur A. Butler to Appear *Pro Hac Vice*

Enclosed are the original and 2 copies of TRACER's Motion to Allow Arthur A. Butler to Appear *Pro Hac Vice*. This document was e-filed today with the Commission. Please let me know if you have any questions.

Sincerely,

ATER WYNNE LLP


Susan Carpenter
Assistant to Arthur A. Butler

Enclosures

cc: Service List

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1017(3)**

In the Matter of
PUBLIC UTILITY COMMISSION OF
OREGON

**MOTION TO ALLOW
ARTHUR A. BUTLER TO APPEAR
PRO HAC VICE**

Investigation into Expansion of the Oregon
Universal Service Fund to Include the Service
Areas of Rural Telecommunications Carriers

The Telecommunications Ratepayers Association for Cost-based and Equitable Rates
("TRACER") respectfully moves to allow Arthur A. Butler to appear *Pro Hac Vice* on behalf of
TRACER.

This motion is supported by a Certificate of Compliance for *Pro Hac Vice* Admission, a
Certificate of Good Standing (Status Certificate) from the Washington State Bar Association and
a Confirmation of Insurance, attached as Exhibits A, B, and C.

Respectfully submitted this 14th day of July, 2010.

ATER WYNNE LLP

By: 

Joel R. Faisner, OSB No. 100580
E-mail: jrp@aterwynne.com
Of Attorneys for TRACER

Exhibit A

In re: Arthur A. Butler
Name of Out-of-State Attorney

Certificate of Compliance
For Pro Hac Vice Admission

I, Arthur A. Butler (print name), am an attorney in the State of Washington 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: Staff Investigation into Expansion of the Oregon Universal Service Fund

Court: Public Utility Commission of Oregon Case No.: UM 1017

I certify that (check all that apply):

- I am an attorney in good standing in the State of Washington, 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 Joel R. Paisner, OSB No. 100580, 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 15th day of July, 2011.

X 
(Applicant Signature)

Mailing Address: 601 Union Street, Suite 1501
Seattle, WA 98101-3981

Washington State Bar No.: 4678
(Home Jurisdiction)
Phone: 206.623.4711
FAX: 206.467.8406
Email: aab@aterwynne.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

Exhibit B

CERTIFICATION OF CURRENT STATUS

June 28, 2011

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the Washington State Bar Association, **Arthur Allan Butler**, WSBA ID# **4678** was admitted to the practice of law in this state by the Supreme Court of Washington on **October 25 1972**, and is, as of today's date, an Active member of the Washington State Bar Association, **Eligible** to practice law in this state.

This certificate reflects the member's status as of the date stated. Historical information about status, including periods on inactive status, administrative and disciplinary suspensions, disbarments, resignations, etc., are not reflected in this information, but are available through a Certification of Status History. Complete discipline information, including confidential and public information about grievances and disciplinary proceedings, is available with written authorization signed by the member, through a Discipline History Certificate.



Paula C. Littlewood
Executive Director

Washington State Bar Association
1325 Fourth Ave, Suite 600
Seattle, WA 98101-2539
206-443-WSBA

Exhibit C

May 7, 2010

Ater Wynne LLP
Lovejoy Building
1331 NW Lovejoy Street, Suite 900
Portland, OR 97209-2785

To Whom It May Concern:

CONFIRMATION OF INSURANCE

We hereby confirm that Ater Wynne LLP and Arthur A. Butler have Professional Liability Coverage under Policy ALA#1555 with an annual limit of \$10,000,000 per claim and \$20,000,000 in the aggregate with the right, under stated conditions, to purchase extended reporting rights upon termination of such Policy by ALAS.

The self-insured retention under such Policy is \$500,000 each claim up to an aggregate of \$1,000,000 and \$100,000 each claim thereafter.

The Policy effective date is from January 1, 2010 to January 1, 2011.

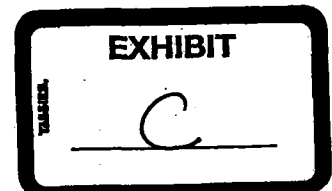
Such Policy is subject to the terms, conditions, limitations and exclusions stated therein.

ATTORNEYS' LIABILITY ASSURANCE SOCIETY, INC.
A RISK RETENTION GROUP

By: Anne M. Mahoney
Anne M. Mahoney
Assistant Director of Underwriting

Date: 5/7/10

S:\CONFIRMS 2010\Ater 050710.doc



311 South Wacker Drive, Suite 5700
Chicago, IL 60606-6629

tel 312-697-6900 fax 312-697-6901 Web site alas.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of July, 2011, served the foregoing along with the correct number of copies, of the foregoing **MOTION TO ALLOW ARTHUR A. BUTLER TO APPEAR *PRO HAC VICE*** in docket UM 1017(3) upon each party listed in the UM 1017(3) PUC Service List by email and, where paper service is not waived (**W**), by U.S. mail, postage prepaid, and upon the Commission by email and by sending 2 copies by U.S. mail, postage prepaid to the Commission's Salem offices at:

Filing Center
Public Utility Commission of Oregon
PO Box 2148
Salem, OR 97308-2148
puc.filingcenter@state.or.us

W *AT&T*

Sharon L. Mullin
AT&T Services, Inc.
Suite 930
400 W 15th Street
Austin TX 78701
slmullin@att.com

W *AT&T*

Cynthia Manheim
AT&T Services, Inc.
PO Box 97061
Redmond WA 98052
cindy.manheim@att.com

W *AT&T*

David Collier
AT&T Communications of Pacific
Northwest Inc.
645 E Plumb Lane
PO Box 11010
Reno NV 89502
david.collier@att.com

W *CenturyLink*

Mark S. Reynolds
CenturyLink
Room 3206
1600 7th Avenue
Seattle WA 98191
mark.reynolds3@centurylink.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

- W CenturyLink** William E. Hendricks III
CenturyLink
805 Broadway Street
Vancouver WA 98660-3277
tre.hendricks@embarq.com
- W CenturyLink** Cal Simshaw
CenturyLink
805 Broadway Street, Floor 8
Vancouver WA 98660-3277
calvin.simshaw@centurytel.com
- CenturyLink** Charles L. Best
Suite 538
1631 NE Broadway
Portland OR 97232-1425
chuck@charleslbest.com
- W Comcast of Oregon, LLC and tw telecom** Mark P. Trincherro
Davis Wright Tremaine LLP
Suite 2300
1300 SW Fifth Avenue
Portland OR 97201-5630
marktrincherro@dwt.com
- W Comcast Phone of Oregon** Mark Trincherro
Davis Wright Tremaine LLP
Suite 2300
1300 SW Fifth Avenue
Portland OR 97201-5630
Marktrincherro@dwt.com
- W Comcast Phone of Oregon, LLC** Doug Cooley
Comcast Business Communications
LLC
1710 Salem Industrial Drive NE
Salem OR 97303
doug_cooley@cable.comcast.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

W **Comspan
Communication** Adam Lowney
McDowell, Rackner & Gibson PC
Suite 400
419 SW 11th Avenue
Portland OR 97205
adam@mcd-law.com

W **Comspan
Communications** Lisa F. Rackner
McDowell, Rackner & Gibson PC
Suite 400
419 SW 11th Avenue
Portland OR 97205
lisa@mcd-law.com

W **Comspan
Communications** Tim Spannring
ComSpan Communications Inc.
278 NW Garden Valley Boulevard
Roseburg OR 97470
tims@comspancomm.com

W **CUB** Raymond Myers
Citizens' Utility Board of Oregon
Suite 400
610 SW Broadway
Portland OR 97205
ray@oregoncub.org

W **CUB** Robert Jenks
Citizens' Utility Board of Oregon
Suite 400
610 SW Broadway
Portland OR 97205
bob@oregoncub.org

W **CUB** G. Catriona McCracken
Citizens' Utility Board of Oregon
Suite 400
610 SW Broadway
Portland OR 97205
catriona@oregoncub.org

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

W *Embarq* Nancy Judy
Embarq Communications Inc.
902 Wasco Street A0412
Hood River OR 97031
barbara.c.young@centurylink.com

W *Frontier* Joseph Chicoine
Frontier Frontier Communications of America
Communications PO Box 340
Elk Grove CA 95759
jchicoine@czn.com

W *Frontier* Renee Willer
Communications Frontier Communications Northwest
Inc.
20575 NW Von Neumann Drive
Beaverton OR 97006-6982
renee.willer@ftr.com

W *Frontier* Phyllis Whitten
Communications Frontier Communications of America
9260 E Stockton Blvd.
Elk Grove CA 95759
Phyllis.whitten@ftr.com

W *GVNW Consulting* Jeffry H. Smith
GVNW Consulting Inc.
8050 SW Warm Springs, Suite 200
Tualatin OR 97062
jsmith@gvnw.com

W *GVNW Consulting* Carsten Koldsbaek
GVNW Consulting Inc.
8050 SW Warm Springs, Suite 200
Tualatin OR 97062
ckoldsbaek@gvnw.com

W *GVNW Consulting* Jim Rennard
GVNW Consulting Inc.
Suite 200
8050 SW Warm Springs
Tualatin OR 97062
jrennard@gvnw.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

- OCTA**
Michael Dewey
Oregon Cable and Telecommunications
Association
1249 Commercial Street SE
Salem OR 97302
mdewey@oregoncable.com

- W OECA**
Craig Phillips
Oregon Exchange Carrier Association
800 C Street
Vancouver WA 98660
cphillips@oecca.com

- W OPUC**
Roger White
Oregon Public Utility Commission
PO Box 2148
Salem OR 97308-2148
roger.white@state.or.us

- W OTA, and OECA**
Richard A. Finnigan
Law Office of Richard A. Finnigan
2112 Black Lake Boulevard SW
Olympia WA 98512
rickfinn@localaccess.com

- W OTA**
Brant Wolf
Oregon Telecommunications
Association
Suite 120
777 13th Street SE
Salem OR 97301-4038
bwolf@ota-telecom.org

- W Public Counsel**
Michael T. Weirich
Oregon Department of Justice
General Counsel Regulated Utility &
Business
1162 Court Street NE
Salem OR 97301
michael.weirich@state.or.us

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

tw telecom: Lyndall Nipps
tw telecom
Suite 500
9665 Granite Ridge Drive
San Diego CA 92123
lyndall.nipps@twtelecom.com

Verizon Rudolph M. Reyes
Verizon Business
Suite 300
711 Van Ness Avenue
San Francisco CA 94102
rudy.reyes@verizon.com

Verizon Milt H. Doumit
Verizon Corporate Services Corp.
Suite 103
410 11th Avenue SE
Olympia WA 98501
milt.h.doumit@verizon.com

Verizon: Richard B. Severy Esq.
Verizon Business
Building 8-2
2775 Mitchell Drive
Walnut Creek CA 94598
richard.b.severy@verizonbusiness.com

**Warm Springs
Telecommunications** Adam Haas
Converge Communications,
Incorporated
10425 SW Hawthorne Lane
Portland OR 97225
adam.haas@warmspringstelecom.com

**Warm Springs
Telecommunications** Marsha Spellman
Converge Communications,
Incorporated
10425 SW Hawthorne Lane
Portland OR 97225
marsha.spellman@warmspringstelecom.com

1 I declare under penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct.

3 DATED this 18th day of July, 2011, at Seattle, Washington

4 S. Carpenter
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26