

January 23, 2014

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

Re: UM 1481 – 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*, and the Affidavit of Arthur A. Butler. These documents were 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 (via method(s) on Certificate of Service

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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON  
UM 1481**

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In the Matter of  
PUBLIC UTILITY COMMISSION OF  
OREGON  
Staff Investigation of the Oregon Universal  
Service Fund

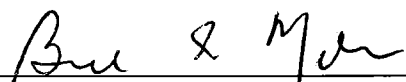
**MOTION TO ALLOW  
ARTHUR A. BUTLER TO APPEAR  
PRO HAC VICE**

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 16<sup>th</sup> day of January, 2014.

ATER WYNNE LLP

By:   
Brenda S. Molner, OSB No. 040352  
E-mail: [bsm@aterwynne.com](mailto:bsm@aterwynne.com)  
Of Attorneys for TRACER

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 UCR 3.170 in the following Oregon court action or proceeding:

Case Name: Staff Investigation of the Oregon Universal Service Fund  
Court: Public Utility Commission of Oregon Case No.: UM 1481

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 Brenda S. Molner, OSB No. 040352, 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 \_\_\_\_\_ day of January, 2014.

X

*Arthur A. Butler*  
(Applicant Signature)

Washington State Bar No.: 4678  
(Home Jurisdiction)

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

Phone: 206.623.4711  
FAX: 206.467.8406  
Email: aab@aterwynne.com

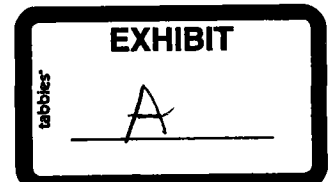
### Acknowledgment of Receipt

As Regulatory Services Counsel 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 \$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:

Regulatory Services Counsel



# CERTIFICATION OF STATUS HISTORY

July 26, 2013

## TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the Washington State Bar Association, **Mr. 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.

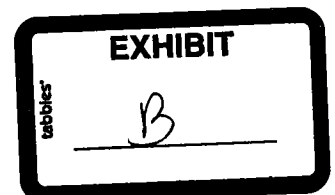
This certification reflects only public information that affected the member's status with the WSBA. Confidential disciplinary information about grievances and information about currently pending disciplinary proceedings is available with written authorization signed by the member, through a Discipline History Certificate.



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Paula C. Littlewood  
Executive Director

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





January 16, 2014

Ater Wynne LLP  
Lovejoy Building  
1331 NW Lovejoy Street, Suite 900  
Portland, OR 97209-3280

To Whom It May Concern:

**CONFIRMATION OF INSURANCE**

We hereby confirm that Ater Wynne LLP and Arthur A. Butler, Esq. 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 \$375,000 each claim up to an aggregate of \$750,000 and \$100,000 each claim thereafter.

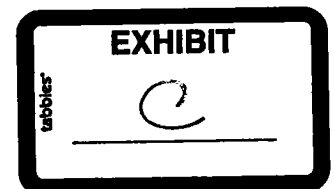
The Policy effective date is from January 1, 2014 to January 1, 2015.

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: 1/16/14



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

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

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this 23rd day of January, 2014, 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 1481 upon each party listed in the UM 1481 PUC Service List by email and, where paper service is not waived, 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.

**(W denotes waiver of paper service; C denotes service of Confidential material authorized)**

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George Thomson Frontier Communications Northwest Inc. 1800 41st Street Everett WA 98201 <a href="mailto:george.thomson@ftr.com">george.thomson@ftr.com</a>	Gregory Diamond tw telecom 223 Taylor Avenue, Suite 250 Seattle WA 98109 <a href="mailto:greg.diamond@twtelecom.com">greg.diamond@twtelecom.com</a>
Ron Trullinger CenturyLink 11th Floor 310 SW Park Avenue Portland OR 97205 <a href="mailto:ron.trullinger@centurylink.com">ron.trullinger@centurylink.com</a>	OPUC Dockets Citizens' Utility Board of Oregon 610 SW Broadway, Suite 400 Portland, OR 97205 <a href="mailto:dockets@oregoncub.org">dockets@oregoncub.org</a>



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 23<sup>rd</sup> day of January, 2014, at Seattle, Washington.

4 S. Carpenter  
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1 **BEFORE THE PUBLIC UTILITY COMMISSION**

2 **OF OREGON**

3 **UM 1481**

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6 In the Matter of  
7 PUBLIC UTILITY COMMISSION OF  
8 OREGON  
9 Staff Investigation of the Oregon Universal  
10 Service Fund

**AFFIDAVIT OF ARTHUR A. BUTLER  
REGARDING ADMISSION TO  
PRACTICE PRO HAC VICE**

11  
12 State of Washington )  
13 ) ss  
14 County of King )

15 I, Arthur A. Butler, hereby certify under penalty of perjury under the laws of Washington  
16 that:

- 17 1. I am a member in good standing of the bar of the State of Washington.
- 18 2. I maintain a law practice in the State of Washington. I am a partner at Ater  
19 Wynne LLP, in Seattle, Washington.
- 20 3. I will associate in this matter with Brenda S. Molner (OSB 040352) of the Ater  
21 Wynne LLP Seattle Office, who is an attorney in good standing in the State of Oregon.
- 22 4. I will comply with all applicable statutes, laws, and procedural rules of the State  
23 of Oregon; be familiar with and comply with the Oregon Rules of Professional Conduct; and  
24 submit to the jurisdiction of the Oregon courts and the Oregon State Bar with respect to acts and  
25 omissions during my admission pro hac vice in this matter.  
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1 5. I agree to notify this Commission of any changes in my status as required by  
2 UTCR 3.170(1)(f).  
3


4 6. I am renewing an admission of *pro hac vice* to the Oregon Public Utilities  
5 Commission in this case.

6 7. I have read the Motion to Allow filed on January 23, 2014, and the statements  
7 contained in that Motion, and this certification are full, true and correct.

8 Signed on January 23, 2014 at Seattle, Washington.

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11 Arthur A. Butler: WSBA #4678

12  
13 SUBSCRIBED AND SWORN TO before me this 23<sup>rd</sup> day of January, 2014.  
14

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17 Name Printed: Susan Carpenter  
18 Notary Public in and for the State of Washington  
19 Residing at: Auburn, WA  
20 My Commission Expires: 7-27-15

21 **SUSAN CARPENTER**  
22 **STATE OF WASHINGTON**  
23 **NOTARY PUBLIC**  
24 **MY COMMISSION EXPIRES**  
25 **07-27-15**

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3 **CERTIFICATE OF SERVICE**

4 I hereby certify that I have this 23rd day of January, 2014, served the foregoing along with the  
5 correct number of copies, of the foregoing **MOTION TO ALLOW ARTHUR A. BUTLER**  
6 **TO APPEAR PRO HAC VICE** in docket UM 1481 upon each party listed in the UM 1481  
7 PUC Service List by email and, where paper service is not waived, by U.S. mail, postage  
8 prepaid, and upon the Commission by email and by sending 2 copies by U.S. mail, postage  
9 prepaid to the Commission's Salem offices.

10 **(W denotes waiver of paper service; C denotes service of Confidential material**  
11 **authorized)**

12 Charles Best 13 Suite 538 14 1631 NE Broadway 15 Portland OR 97232-1425 16 <a href="mailto:chuck@charleslbest.com">chuck@charleslbest.com</a>	Ann Sagerson AT&T Services, Inc. 208 S. Akard St. Dallas, TX 75202-4206 <a href="mailto:Ann.ageron@att.com">Ann.ageron@att.com</a>
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23 William Hendricks 24 CenturyLink 25 805 Broadway Street 26 Vancouver WA 98660-3277 <a href="mailto:tre.hendricks@embarq.com">tre.hendricks@embarq.com</a>	Alan Galloway Davis Wright Tremaine LLP Suite 2400 1300 SW Fifth Avenue Portland OR 97201-5630 <a href="mailto:alangalloway@dwt.com">alangalloway@dwt.com</a>
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Ron Trullinger CenturyLink 11th Floor 310 SW Park Avenue Portland OR 97205 <a href="mailto:ron.trullinger@centurylink.com">ron.trullinger@centurylink.com</a>	OPUC Dockets Citizens' Utility Board of Oregon 610 SW Broadway, Suite 400 Portland, OR 97205 <a href="mailto:dockets@oregoncub.org">dockets@oregoncub.org</a>

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 23<sup>rd</sup> day of January, 2014, at Seattle, Washington.

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