

BEFORE THE  
PUBLIC UTILITY COMMISSION OF OREGON

UM 1610

PHASE II

In the Matter of )

PUBLIC UTILITY COMMISSION OF OREGON, )

Investigation into Qualifying Facility Contracting )  
and Pricing )

) **MOTION TO APPEAR PRO HAC**  
) **VICE OF KURT REMPE ON**  
) **BEHALF OF GARDNER**  
) **CAPITAL SOLAR**  
) **DEVELOPMENT, LLC**

In accordance with OAR 860-001-0320 and UTCR 3.170, the undersigned attorney, a member in good standing with the District of Columbia Bar, files this Motion to Appear Pro Hac Vice in the above-referenced proceeding. In support of this motion, the undersigned attorney states as follows:

The undersigned requests permission to appear pro hac vice in this proceeding to represent Gardner Capital Solar Development, LLC, which is filing Opening Testimony on this date in this proceeding. In compliance with OAR 860-001-0320(2), the undersigned provides the following information:

1. A certificate of compliance for pro hac vice admission (Attachment A)
2. A certificate of good standing from the District of Columbia Bar (Attachment B)
3. Because the undersigned attorney's appearance before the Commission constitutes the "private practice of law," a certificate of insurance covering the attorney's activities in this State and providing professional liability insurance (Attachment C)

In compliance with OAR 860-001-0320(3), the undersigned has associated with a member in good standing of the Oregon State Bar who is a partner and colleague at the same law

firm and intends to participate meaningfully in this matter. The member in good standing of the Oregon State Bar is:

**Ms. Shao-Ying Mautner**  
Foley & Lardner LLP  
Suite 2201, Jin Mao Tower  
88 Century Boulevard  
Shanghai 200121  
China  
+86 216 100-8900  
[smautner@foley.com](mailto:smautner@foley.com)

**\*Oregon Bar Number 935284 (admitted November 11, 1993)**

In accordance with UTC 3.170(1)(b), the undersigned certifies that he is not subject to pending disciplinary proceedings in any other jurisdiction. In accordance with UTCR 3.170(1)(d), the undersigned certifies that he will: comply with applicable statutes, laws, and procedural rules of the state of Oregon; be familiar with and comply with the disciplinary rules of the Oregon State Bar; and submit to the jurisdiction of the Oregon courts and the Oregon State Bar with respect to acts and omissions occurring during the undersigned attorney's admission under this rule.

Finally, in accordance with UTCR 3.170(1)(f), the undersigned agrees to notify this Commission promptly of any changes in the undersigned's insurance or status.

Based on the foregoing, the undersigned respectfully request that the Commission grant this Motion to Appear Pro Hac Vice in this proceeding.

Public Utility Commission of Oregon  
Gardner Capital Solar Development, LLC – Motion to Appear Pro Hac Vice  
Docket UM 1610, Phase II  
Page 3

FOLEY & LARDNER LLP

By /s/ Kurt R. Rempe  
Foley & Lardner LLP  
3000 K Street, N.W., Suite 600  
Washington, D.C. 20007  
(202) 672-5326  
[krempe@foley.com](mailto:krempe@foley.com)

Dated May 22, 2015.

*Attorney for Gardner Capital Solar Development, LLC*

# **ATTACHMENT A**

In re: Kurt R. Rempe  
Name of Out-of-State Attorney

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

I, Kurt R. Rempe (print name), am an attorney in the State of District of Columbia 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 Public Utility Commission of Oregon, Investigation into Qualifying Facility Contracting and Pricing

Court: Public Utility Commission of Oregon Case No.: UM 1610 Phase II

I certify that (check all that apply):

- I am an attorney in good standing in the State of District of Columbia, 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 Ms. Shao-Ying Mautner, OSB No. 935284, 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 22nd day of May, 20 15.

**X** [Signature]  
(Applicant Signature)

District of Columbia Bar No.: 103298  
(Home Jurisdiction)

Mailing Address: FOLEY & LARDNER LLP  
3000 K Street N.W., Suite 600  
Washington, DC 20007-5109

Phone: (202) 672-5326  
FAX: (202) 672-5399  
Email: krempe@foley.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 \$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:

\_\_\_\_\_  
Regulatory Services Counsel

# **ATTACHMENT B**



District of Columbia Court of Appeals  
Committee on Admissions  
430 F Street, N.W. — Room 123  
Washington, D. C. 20001  
202 / 879-2710

*I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that*

***KURT RICHARD REMPE***

*was on AUGUST 11, 2014 duly qualified and admitted as an attorney and counselor entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.*

*In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on **May 6, 2015** .*

JULIO A. CASTILLO  
Clerk of the Court

By:   
Deputy Clerk

# **ATTACHMENT C**





ALAS  
Attorneys'  
Liability  
Assurance  
Society, Inc.

May 6, 2015

Oregon State Bar  
Regulatory Services  
P.O. Box 231935  
Tigard, OR 97281-1935

To Whom It May Concern:

### CONFIRMATION OF INSURANCE

We hereby confirm that Foley & Lardner LLP, Kurt Rempe, Thomas Mullooly, David Zoppo and Shao-Ying Mautner have Professional Liability Coverage under Policy ALA#1017 with limits of liability in excess of the Oregon State Bar Professional Liability Fund Plan.

The Policy effective date is from January 1, 2015 to January 1, 2016.

The Policy covers professional services rendered in the state of Oregon.

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

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

By: *Nancy Montroy*  
Nancy J. Montroy  
Vice President – Director of Underwriting

Date: *5/6/2015*