

ORIGINAL

IN THE SUPREME COURT OF OHIO

In the Matter of the Review of The	)	Case No. 13-2026
Alternative Energy Rider Contained in	)	
The Tariffs of Ohio Edison Company,	)	On Appeal from the Public Utilities
The Cleveland Electric Illuminating	)	Commission of Ohio
Company and The Toledo Edison	)	
Company.	)	Public Utilities Commission of Ohio
	)	Case No. 11-7201-EL-RDR

MOTION TO APPEAR PRO HAC VICE OF MADELINE FLEISHER

David A. Kutik (0006418)  
 Counsel of Record  
 Lydia M. Floyd (0088476)  
 Jones Day  
 901 Lakeside Ave.  
 Cleveland, Ohio 44114  
 (216) 586-3939  
 (216) 579-0212 (fax)  
[dakutik@jonesday.com](mailto:dakutik@jonesday.com)  
[lmfloyd@jonesday.com](mailto:lmfloyd@jonesday.com)

FILED  
 SEP 29 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

James W. Burk (0043808)  
 Carrie M. Dunn (0076952)  
 FirstEnergy Service Company  
 76 South Main Street  
 Akron, Ohio 44308  
 (330)384-5861  
 (330)384-38758 (fax)  
[burkj@firstenergycorps.com](mailto:burkj@firstenergycorps.com)  
[cdunn@firstenergycorp.com](mailto:cdunn@firstenergycorp.com)

**COUNSEL FOR APPELLANTS, OHIO  
 EDISON COMPANY, THE  
 CLEVELAND ELECTRIC  
 ILLUMINATING COMPANY AND  
 THE TOLEDO EDISON COMPANY**

William L. Wright (0018010)  
 Counsel of Record  
 Ryan P. O'Rourke (0082651)  
 Richard Michael DeWine (0009181)  
 Attorney General of Ohio  
 Thomas Lindgren (0039210)  
 Assistant Attorneys General  
 Public Utilities Commission of Ohio  
 180 East Broad Street - 6th Floor  
 Columbus, OH 43215  
 Telephone: (614) 466-4397  
 Facsimile: (614) 644-8764  
[william.wright@puc.state.oh.us](mailto:william.wright@puc.state.oh.us)  
[ryan.orourke@puc.state.oh.us](mailto:ryan.orourke@puc.state.oh.us)  
[Thomas.lindgren@puc.state.oh.us](mailto:Thomas.lindgren@puc.state.oh.us)

**COUNSEL FOR APPELLEE,  
 PUBLIC UTILITIES COMMISSION OF  
 OHIO**

Madeline Fleisher (pending *pro hac vice*)  
 Bradley Klein (admitted *pro hac vice*)  
 Environmental Law & Policy Center  
 1207 Grandview Avenue, Suite 201  
 Columbus, OH 43212  
 P: 614-488-3301  
 F: 614-487-7510  
[mfleisher@elpc.org](mailto:mfleisher@elpc.org)  
[bklein@elpc.org](mailto:bklein@elpc.org)

**COUNSEL FOR APPELLEE/CROSS-  
 APPELLANT, ENVIRONMENTAL LAW  
 & POLICY CENTER**

RECEIVED  
 SEP 29 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

**Mark R. Weaver** (0065769)  
Isaac, Wiles, Burkholder & Teetor  
Two Miranova, 7<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 221-2121  
(614) 3659516 (fax)  
[MWeaver@isaacwiles.com](mailto:MWeaver@isaacwiles.com)

**OUTSIDE COUNSEL FOR  
APPELLEE/CROSS-APPELLANT, THE  
OFFICE OF THE OHIO CONSUMERS'  
COUNSEL**

**Bruce J. Weston** (0016973)  
Ohio Consumers' Counsel  
**Melissa R. Yost** (0070914)  
Counsel of Record  
Deputy Consumers' Counsel  
**Edmund Berger** (0090307)  
Assistant Consumers' Counsel:  
10 West Broad St, Suite 1800  
Columbus, Ohio 43215  
(614) 466-1291 (Yost)  
(614) 466-1292 (Berger)  
(614) 466-94 7 5 (fax)  
[melissa.yost@occ.ohio.gov](mailto:melissa.yost@occ.ohio.gov)  
[edmund.berger@occ.ohio.gov](mailto:edmund.berger@occ.ohio.gov)

**COUNSEL FOR INTERVENING-  
APPELLEE, THE OFFICE OF OHIO  
CONSUMERS' COUNSEL**



IN THE SUPREME COURT OF OHIO

In the Matter of the Review of The ) Case No. 13-2026  
Alternative Energy Rider Contained in The )  
Tariffs of Ohio Edison Company, The ) Appeal from the Public Utilities  
Cleveland Electric Illuminating Company ) Commission of Ohio  
and The Toledo Edison Company. )  
) Public Utilities Commission of Ohio Case  
) No. 11-7201-EL-RDR

**MOTION TO APPEAR PRO HAC VICE OF MADELINE FLEISHER**

Pursuant to R. XII(2)(A)(6), Madeline Fleisher, attorney for the Environmental Law & Policy Center, hereby moves the Supreme Court of Ohio to grant her permission to appear *pro hac vice* in the above-captioned proceeding.

Movant represents that the following is a list of the jurisdictions in which she has ever been licensed to practice law, including dates of admission to practice, and any attorney registration numbers:

- Massachusetts, BAR No. 670262, admission date: December 7, 2007
- District of Columbia, BAR No. 991300, admission date: February 3, 2014

Movant represents that she has not been granted permission to appear *pro hoc vice* in more than three proceedings before Ohio tribunals in the current calendar year pursuant to Gov.Bar R. XII(2)(A)(5).

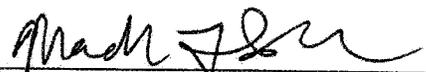
Trent A. Dougherty, an active Ohio attorney in good standing (Bar No. 0079817), has agreed to associate with Movant on this case.

The affidavit required by Gov.Bar R. XII(2)(A)(6), a copy of Movant's certificate of *pro hac vice* registration furnished by the Supreme Court of Ohio Office of Attorney Services and a certificate indicating services of this Motion on all known parties and attorneys of record are

attached. Movant understands that if this motion is granted, Movant must file a Notice of Permission to Appear *pro hac vice* and a copy of the Order granting permission with the Supreme Court of Ohio Office of Attorney Services within thirty days of the Order.

Dated: September 25, 2014

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Madeline Fleisher", written over a horizontal line.

Madeline Fleisher  
Staff Attorney  
Environmental Law & Policy Center  
1207 Grandview Avenue, Suite 201  
Columbus, OH 43212  
P: 614-488-3301  
F: 312-795-3730  
E-mail: [mfleisher@elpc.org](mailto:mfleisher@elpc.org)

# THE SUPREME COURT of OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

Madeline Paradise Fleisher

AFFIDAVIT OF APPLICANT  
Gov. Bar R. XII, Section 2(A)(3)

FOR PRO HAC VICE REGISTRATION

Madeline Paradise Fleisher, being first duly cautioned, swears or affirms as follows:

- a. I have never been disbarred from the practice of law.
- b. I have been admitted to the practice of law in the following jurisdictions (attach additional page if necessary):

Massachusetts (12/7/2007) # 670262  
District of Columbia (2/3/2014) # 991300

c. Choose one:

- I am not currently suspended from the practice of law in any jurisdiction where I have been admitted to practice.
- I am currently suspended from the practice of law in the following jurisdictions:

d. Choose one:

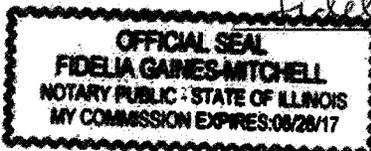
- I have not resigned from the practice of law with discipline pending in any jurisdiction where I have been admitted to practice.
- I have resigned from the practice of law with discipline pending in the following jurisdiction(s):

Madeline Fleisher

SIGNATURE OF APPLICANT

Sworn to or affirmed before me and subscribed in my presence the 18 day of September,  
20 14, in the state of Illinois and county of Cook.

\*Notary public's stamp/seal and commission expiration date are required.



Fidelia Gaines-Mitchell

SIGNATURE OF NOTARY PUBLIC\*

# THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

**Madeline Fleisher**

FOR PRO HAC VICE REGISTRATION

per Gov. Bar R. XII, Section 2(A)(3)

**Madeline Fleisher**

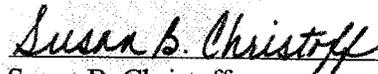
Certificate of  
PRO HAC VICE  
REGISTRATION

2014

Registration Number:  
PHV- 5639-2014

\_\_\_\_\_, having met the requirements of, and found to be in full compliance with, Section 2(A)(3) of Rule XII of the Rules for the Government of the Bar of Ohio, is hereby issued this certificate of pro hac vice registration in the state of Ohio.

To receive permission to appear pro hac vice in an Ohio proceeding, a motion requesting such permission must be filed with the tribunal in accordance with Section 2(A)(6) of Rule XII of the Rules for the Government of the Bar of Ohio.

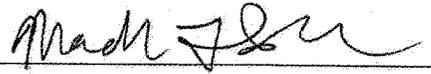


Susan B. Christoff  
Director, Attorney Services

**Expires December 31, 2014**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing *Motion* submitted on behalf of the Environmental Law & Policy Center, was served by electronic mail to all parties of record, this 25th day of September, 2014.

A handwritten signature in cursive script, appearing to read "Madeline Fleisher", written over a horizontal line.

Madeline Fleisher  
Environmental Law & Policy Center