

ORIGINAL



0000095124

Timothy M. Hogan (004567)
ARIZONA CENTER FOR LAW
IN THE PUBLIC INTEREST
202 E. McDowell Rd., Suite 153
Phoenix, AZ 85004
(602) 258-8850

RECEIVED

2009 MAR 30 P 4:14

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

Docket No. E-20633A-08-0513

IN THE MATTER OF THE APPLICATION
OF THE SOLAR ALLIANCE FOR A
DECLARATORY ORDER THAT
PROVIDERS OF CERTAIN SOLAR
SERVICE AGREEMENTS WOULD NOT
BE PUBLIC SERVICE CORPORATIONS.

MOTION AND CONSENT OF
LOCAL COUNSEL FOR *PRO*
HAC VICE ADMISSION OF
KEVIN T. FOX

On February 27, 2009, Kevin T. Fox was permitted to appear on a temporary *pro hac vice* basis in this matter pending completion of application procedures set forth in Arizona Supreme Court Rule 38(a). By this motion, the above-named attorney, Timothy M. Hogan, moves the Arizona Corporation Commission to admit Kevin T. Fox as counsel *pro hac vice* in this matter pursuant to Rule 33 (c) and (d) of the Rules of the Supreme Court.

Pursuant to Rule 33(d)3(c) of the Rules of the Supreme Court, the following exhibits are attached hereto:

1. The original Verified Application
2. The original Certificate(s) of Good Standing; and
3. The State Bar of Arizona Notice.

Arizona Corporation Commission
DOCKETED
MAR 30 2009

DOCKETED BY

1 The filing fee required by Rule 38(a)3A has been submitted to the State Bar of
2 Arizona. Timothy M. Hogan hereby agrees to serve as designated local counsel in this
3 matter.

4 DATED this 30th day of March, 2009.

5
6
7 By 
8 Timothy M. Hogan
9 202 E. McDowell Rd., Suite 153
Phoenix, Arizona 85004

10 ORIGINAL and 13 COPIES of
11 the foregoing filed this 30th day
12 of March, 2009, with:

13 Docketing Supervisor
14 Docket Control
15 Arizona Corporation Commission
16 1200 W. Washington
17 Phoenix, AZ 85007

18 COPIES of the foregoing
19 electronically served this
20 30th day of March, 2009 to:

21 All Parties of Record
22
23
24
25

EXHIBIT 1



For Official Use Only
 App# 1004544
 Bar Number# PT70505

Attn: Pro Hac Vice Dept
 PO Box 53099
 Phoenix, AZ 85072-3099
 Phone: 602-340-7239

RECEIVED

MAR 10 2009

Application for Appearance Pro Hac Vice

State Bar of Arizona
 Resource Center Department

PART I: Applicant Information

Name of Applicant: Kevin T. Fox

Firm/Company Name: Keyes & Fox, LLP

Office Address: 5727 Keith Avenue; Oakland, CA 94618

Telephone: (510) 381-3052 Fax: N/A Email Address: kfox@keyesandfox.com

Residence Address: 5727 Keith Avenue; Oakland, CA 94618

Title of cause or case where applicant seeks to appear: In re Application of the Solar Alliance

Docket Number: E-20633A-08-0513

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Interstate Renewable Energy Council

Pursuant to Arizona Supreme Court Rule 38(i)(3), the applicant shall complete the information below:

Courts to Which Applicant Has Been Admitted: <i>(Attach additional pages if needed)</i>	Date of Admission:	Bar Number:
<u>OREGON</u>	<u>SEPT 22, 2005</u>	<u>052551</u>
<u>CALIFORNIA</u>	<u>JUNE 11, 2008</u>	<u>256609</u>
_____	_____	_____
_____	_____	_____

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant is / is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under AZ ST S.Ct., Rule 38(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u>None</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This case or cause is / is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause. If applicable, please provide related or consolidated matter application or docket# _____

MAR - 9 2009
 10 11 F
 [Signature]

PART II: Local Council Information

Name of Arizona Local Counsel: Timothy M. Hogan

State Bar of Arizona Number: 004567

Address: 202 E. McDowell Rd., Suite 153; Phoenix, AZ 85004

Telephone: (602) 258-8850 Fax: (602) 258-8757 Email Address: thogan@aclpi.org

Local Counsel is a member in good standing.

Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

PART III: Parties and Certification

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>See attached</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$460.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF CA
County of Alameda) ss.

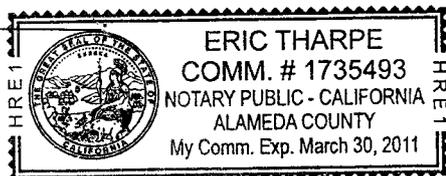
I, Kevin T. Fox, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 3/5/09

Applicant's Signature: [Signature]

SUBSCRIBED AND SWORN TO before me this 5 day of March, 2009, by

Kevin T Fox
Name of Applicant



[Signature]
Notary Public

Timothy Hogan
202 E. McDowell Rd. - 153
Phoenix, Arizona 85004

Michael Curtis
501 East Thomas Road
Phoenix, Arizona 85012-3205

Michael Patten
Roshka DeWulf & Patten, PLC
One Arizona Center
400 E. Van Buren St. - 800
Phoenix, Arizona 85004

Michael Grant
2575 E. Camelback Rd.
Phoenix, Arizona 85016-9225

Scott Wakefield
201 N. Central Ave. - 3300
Phoenix, Arizona 85004-1481

Deborah Scott
Pinnacle West Capital Corporation
400 North 5th Street
P.O. Box 53999, MS 8695
Phoenix, Arizona 85072

Bradley Carroll
One Arizona Center 400 E. Van Buren
St
Phoenix, Arizona 85004-2202

Kelly Barr
SRP
P.O. Box 52025
M/S PAB221
Phoenix, Arizona 85072-2025

Kenneth Sundlof, Jr.
Jennings Strouss & Salmon, P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, Arizona 85004-2385

Jana Brandt
Mail Station PAB 221 P.O. Box 52025
Phoenix, Arizona 85072-2025

Janice Alward
1200 W. Washington
Phoenix, Arizona 85007

David Berry
P.O. Box 1064
Scottsdale, Arizona 85252-1064

Daniel Pozefsky
1110 West Washington, Suite 220
Phoenix, Arizona 85007

Lawrence Robertson, Jr.
2247 E. Frontage Rd., Suite 1
P.O. Box 1448
Tubac, Arizona 85646

Arizona Corporation Commission
Lyn Farmer
1200 W. Washington
Phoenix, Arizona 85007-2927

UniSource Energy Corporation
Philip Dion
One South Church Avenue, Suite 200
Tucson, Arizona 85701-1623

Arizona Corporation Commission
Ernest Johnson
1200 W. Washington
Phoenix, Arizona 85007-2927

Russell Jones
5210 E. Williams Circle - 800
Tucson, Arizona 85711

C. Webb Crockett
3003 N. Central Ave. - 2600
Phoenix, Arizona 85012-2913

Kevin Fox
Keyes & Fox LLP
5727 Keith Avenue
Oakland, California 94618

EXHIBIT 2

Oregon State Bar

CERTIFICATE

State of Oregon)
) ss.
County of Washington)

I, Linn D. Davis, do hereby certify that I am an Assistant Disciplinary Counsel of the Oregon State Bar, and have access to the official files and records of the Oregon State Bar.

The official files and records of the Oregon State Bar indicate:

KEVIN T. FOX

was admitted to practice law in the State of Oregon by examination and became an active member of the Oregon State Bar on September 22, 2005.

There are no complaints, grievances or disciplinary proceedings presently pending against this member.

No disciplinary action has been taken against this member in the past by the Oregon Supreme Court or the Oregon Disciplinary Board.

Mr. Fox is an active member of the Oregon State Bar in good standing, licensed and entitled to practice law in all the courts of the State of Oregon.

DATED this 12th day of February, 2009.




Linn D. Davis
Assistant Disciplinary Counsel
Oregon State Bar

EXHIBIT 3



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

February 18, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, KEVIN THOMAS FOX, #256609 was admitted to the practice of law in this state by the Supreme Court of California on June 11, 2008; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Sima La Fontaine
Custodian of Membership Records