

ORIGINAL



0000168194

1 Timothy M. Hogan (004567)  
2 ARIZONA CENTER FOR LAW  
3 IN THE PUBLIC INTEREST  
4 202 E. McDowell Rd., Suite 153  
5 Phoenix, Arizona 85004  
6 (602) 258-8850

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL

2016 FEB 2 PM 3 50

BEFORE THE ARIZONA CORPORATION COMMISSION

6 DOUG LITTLE, Chairman  
7 TOM FORESE  
8 BOB STUMP  
9 BOB BURNS  
ANDY TOBIN

Arizona Corporation Commission

DOCKETED

FEB 02 2016

DOCKETED BY

10 IN THE MATTER OF THE COMMISSION'S  
11 INVESTIGATION OF VALUE AND COST  
12 OF DISTRIBUTED GENERATION.

Docket No. E-00000J-14-0023

**MOTION TO ASSOCIATE  
COUNSEL PRO HAC VICE**

14 Timothy M. Hogan, pursuant to Ariz. R. Sup. Ct. Rule 38(a), moves to associate  
15 Michael Alan Hiatt as counsel pro hac vice in this action. In support of this motion and  
16 pursuant to Rule 38(a)(3)(C), the following original documents are attached:  
17

- 18 1. Verified Application to Appear Pro Hac Vice;
- 19 2. Certificate(s) of Good Standing; and
- 20 3. State Bar of Arizona Notice of Receipt of Complete Application.

21 Timothy M. Hogan hereby agrees to serve as local counsel in this matter and  
22 accepts the responsibilities detailed in Ariz. R. Sup. Ct. Rule 38(a)(2).  
23  
24  
25

1 DATED this 2<sup>nd</sup> day of February, 2016.

2  
3 

4 Timothy M. Hogan  
5 Arizona Center for Law in the Public Interest  
6 514 W. Roosevelt Street  
7 Phoenix, AZ 85003  
8 Phone: (602) 258-8850

9 ORIGINAL and 13 COPIES of the  
10 Foregoing filed this 2<sup>nd</sup> day of  
11 February, 2016, with:

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

17 COPIES of the foregoing  
18 Electronically mailed this  
19 2<sup>nd</sup> day of February, 2016, to:

20 All Parties of Record

21  
22   
23  
24  
25

1 **Arizona Corporation Commission**

2 The Investigation of Value & Cost of )  
3 Distributed Generation, )  
4 Plaintiff )  
5 v. )  
6 Defendant. )

CASE # E00000J140023

SBA App #1009342

**NOTICE OF RECEIPT OF COMPLETE APPLICATION**

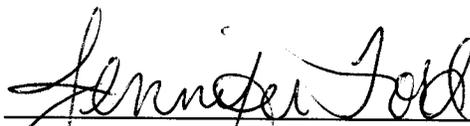
7 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the  
8 verified application and fee from Michael Hiatt.

9 In addition to this application, applicant has made the following applications to appear pro hac  
10 vice, pursuant to Rule 39, within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
In the matter of the application of UNS Electric Inc etc v	Arizona Corporation Commission	7/1/2015	Y

11  
12 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good  
13 Standing are attached hereto.

14 DATED this 29<sup>th</sup> day of January 2016

15   
16 Jennifer Ford, CAP  
17 Member Resources Administrator  
18 State Bar of Arizona

19 Original Mailed on this 29<sup>th</sup> day of January 2016 to:

20 Timothy M Hogan  
21 Arizona Center for Law in the Public Interest  
22 514 W Roosevelt St Ste 200  
23 Phoenix, AZ 85003-1385  
24  
25



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

For Official Use Only  
 App# 1009342  
 Bar Number# P796869

Overnight or Hand Delivery: \$475.00  
 4201 N. 24th St., Ste 100  
 Phoenix, AZ 85016-6266 CK# 23442  
1-28-16  
\$15.00  
CK# 023466

**Application for Appearance Pro Hac Vice**

**PART I: Applicant Information**

Name of Applicant: Michael Alan Hiatt  
 Firm/Company Name: Earthjustice  
 Office Address: 633 17th Street, Suite 1600, Denver, Colorado 80202  
 Telephone: (303) 623-9466 Fax: (303) 623-8083 Email Address: mhiatt@earthjustice.org  
 Residence Address: 655 Dahlia Way, Louisville, Colorado 80027  
 Title of cause or case where applicant seeks to appear: In the matter of the Commission's Investigation of Value and Cost of Distributed Generation  
 Docket Number: E-00000J-14-0023  
 Court, Board, or Administrative Agency: Arizona Corporation Commission  
 Party on whose behalf applicant seeks to appear: Vote Solar

**Pursuant to Arizona Supreme Court Rule 39(a)(4), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted: <small>(Attach additional pages if necessary)</small>	Date of Admission:	Bar Number:
<u>U.S. District Court for the District of Colorado</u>	<u>July 7, 2010</u>	
<u>Supreme Court of Colorado</u>	<u>October 26, 2009</u>	<u>41178</u>
<u>U.S. Court of Appeals, Ninth Circuit</u>	<u>October 5, 2011</u>	
<u>U.S. Court of Appeals, Tenth Circuit</u>	<u>June 13, 2014</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. If yes, specify the jurisdiction, nature of investigation and contact information of the disciplinary authority investigating on an additional page.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Ariz. R. Sup. Ct., Rule 39(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u>In the matter of the application of UNS Electric, Inc., et al.</u>	<u>E-04204A-15-0142</u>	<u>Arizona Corporation Commission</u>	<u>Yes</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# \_\_\_\_\_

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: Timothy M. Hogan

State Bar of Arizona Number: 004567

Address: Arizona Center for Law in the Public Interest, 514 W. Roosevelt Street, Phoenix, Arizona 85003

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 \$490.00. 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 Ariz. R. Sup. Ct. Rule 46(b).
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**

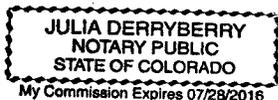
STATE OF Colorado  
County of Denver )  
 ) ss.

I, Michael Alan Hiatt, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 1/21/2016 Applicant's Signature: [Signature]

SUBSCRIBED AND SWORN TO before me this 21st day of January, 2016, by

Michael Alan Hiatt  
Name of Applicant



[Signature]  
Notary Public

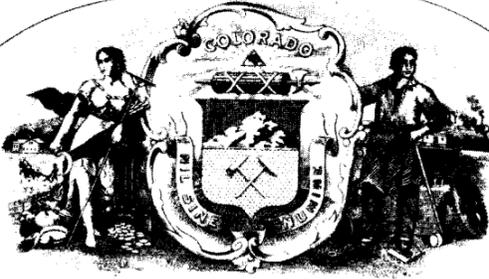
**Michael Hiatt - Attachment to Application for Appearance Pro Hac Vice**

<p>Ken Wilson Western Resource Advocates 2260 Baseline Road, Suite 200 Boulder, Colorado 80302</p>	<p>Timothy Sabo Snell &amp; Wilmer One Arizona Center 400 East Van Buren Street, Suite 1900 Phoenix, Arizona 85004</p>
<p>Dixie-Escalante Rural Electric Association, Inc. LaDel Laub 71 East Highway 56 Beryl, Utah 84714</p>	<p>Dan McClendon Garkane Energy Cooperative PO Box 465 Loa, Utah 84747</p>
<p>Jason Gellman Snell &amp; Wilmer One Arizona Center 400 East Van Buren Street, Suite 1900 Phoenix, Arizona 85004</p>	<p>Michael Patten Snell &amp; Wilmer L.L.P. One Arizona Center 400 East Van Buren Street, Suite 1900 Phoenix, Arizona 85004</p>
<p>Kristin Mayes 3030 N. Third St. Suite 200 Phoenix, Arizona 85012</p>	<p>C. Webb Crockett Fennemore Craig, P.C 2394 E. Camelback Rd, Ste 600 Phoenix, Arizona 85016</p>
<p>Jeffrey Crockett Crockett Law Group PLLC 1702 E. Highland Avenue, Suite 204 Phoenix, Arizona 85016</p>	<p>Garry Hays 1702 East Highland Avenue, Suite 204 Phoenix, Arizona 85016</p>
<p>Jennifer Cranston Gallagher &amp; Kennedy, P.A. 2575 E. Camelback Rd. Phoenix, Arizona 85016-9225</p>	<p>Mark Holohan Arizona Solar Energy Industries Association 2122 West Lone Cactus Drive, Suite 2 Phoenix, Arizona 85027</p>
<p>Craig Marks 10645 N. Tatum Blvd. Suite 200-676 Phoenix, Arizona 85028</p>	<p>Dillon Holmes Clean Power Arizona 9635 N 7th St. #47520 Phoenix, Arizona 85068</p>
<p>Thomas Loquvam P.O. Box 53999, MS 8695 Phoenix, Arizona 85072</p>	<p>Kerri Carnes Arizona Public Service Company P.O. Box 5399, MS 9712 Phoenix, Arizona 85072</p>
<p>Patty Ihle 304 E. Cedar Mill Rd Star Valley, Arizona 85541</p>	<p>Than Ashby 9 West Center Street PO Drawer B Pima, Arizona 85543</p>

<p>Gary Pierson  Arizona Electric Power Cooperative,  Inc  P.O Box 670  1000 S. Highway 80  Benson , Arizona 85602</p>	<p>Sulphur Springs Valley Electric  Cooperative, Inc.  Jack Blair  311 E. Wilcox  Sierra Vista, Arizona 85635</p>
<p>Sulphur Springs Valley Electric  Cooperative, Inc.  Kirby Chapman  311 E. Wilcox  Sierra Vista, Arizona 85635</p>	<p>Vincent Nitido  8600 West Tangerine Road  Marana, Arizona 85658</p>
<p>Robert Hall  4809 Pier Mountain Place  Marana, Arizona 85658</p>	<p>Bradley Carroll  88 E. Broadway Blvd. MS HQE910  P.O. Box 711  Tucson, Arizona 85701</p>
<p>Kevin Larson  UNS Electric, Inc  88 E Broadway Blvd, MS HQE901  PO Box 711  Tucson, Arizona 85701-0711</p>	<p>David Hutchens  UNS Electric, Inc  88 E Broadway Blvd, MS HQE901  P.O Box 711  Tucson, Arizona 85701-0711</p>
<p>Richard Adkerson  Morenci Water and Electric Company  333 N Central Avenue  Phoenix, Arizona 85004</p>	<p>Michael Arnold  Morenci Water and Electric Company  333 N Central Avenue  Phoenix, Arizona 85004</p>
<p>Janice Alward  1200 W. Washington  Phoenix, Arizona 85007</p>	<p>Daniel Pozefsky  1110 West Washington, Suite 220  Phoenix, Arizona 85007</p>
<p>Thomas Broderick  1200 W. Washington St.  Phoenix, Arizona 85007</p>	<p>Greg Patterson  Munger Chadwick  916 W. Adams - 3  Phoenix, Arizona 85007</p>
<p>Arizona Corporation Commission  Dwight Nodes  1200 W. Washington  Phoenix, Arizona 85007-2927</p>	<p>Giancarlo Estrada  Estrada-Legal, PC  3030 N. 3rd Street, Suite 770  Phoenix, Arizona 85012</p>
<p>William Sullivan  Morgan R. Holmes  Curtis, Goodwin, Sullivan, Udall &amp;  Schwab, P.L.C.  501 East Thomas Road</p>	<p>Meghan Grabel  2929 N. Central Avenue Suite 2100  Phoenix, Arizona 85012</p>

<p>Melissa Krueger Pinnacle West Capital Corporation P.O. Box 53999, MS 8695 Phoenix, Arizona 85072</p>	<p>Thomas Mumaw P.O. Box 53999, Station 8695 Phoenix, Arizona 85072-3999</p>
<p>David P. Brooks Brooks &amp; Affiliates, PLC 1515 North Greenfield Road Suite 101 Mesa, Arizona 85205</p>	<p>Court Rich 7144 E. Stetson Drive, Suite 300 Scottsdale, Arizona 85251</p>
<p>Robyn Interpreter Susan B. Montgomery Montgomery &amp; Interpreter, PLC 4835 East Cactus Road, Suite 210 Scottsdale, Arizona 85254</p>	<p>Hugh Hallman Hallman &amp; Affiliates, PC 2011 N. Campo Alegre Rd. - 100 Tempe, Arizona 85281</p>
<p>W.R. Hansen President, Property Owners and Residents Assoc. 13815 W. Camino del Sol Sun City West, Arizona 85375</p>	<p>Albert Gervenack 14751 W. Buttonwood Drive Sun City West, Arizona 85375</p>
<p>Steven Lunt P.O. Box 440 379597 AZ HWY 75 Duncan, Arizona 85534</p>	<p>Lewis Levenson 1308 E. Cedar Lane Payson, Arizona 85541</p>
<p>Kevin Koch P.O. Box 42103 Tucson, Arizona 85733</p>	<p>Charles Moore 1878 W. White Mountain Blvd. Lakeside, Arizona 85929</p>
<p>Navopache Electric Cooperative, Inc. Paul O'Dair 1878 W. White Mtn. Blvd. Lakeside, Arizona 85929</p>	<p>Tyler Carlson Peggy Gilman Mohave Electric Cooperative Inc. PO Box 1045 Bullhead City, Arizona 86430</p>
<p>Charles Kretek P.O. Box 631 Deming, New Mexico 88031</p>	<p>Briana Kobor Vote Solar 360 22nd St. Suite 730 Oakland, California 94602</p>

# SUPREME COURT



## State of Colorado,

STATE OF COLORADO, ss:

I, Christopher T. Ryan Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Michael A. Hiatt

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 26th day of October A. D. 2009 and that at the date hereof the said Michael A. Hiatt is in good standing at this Bar.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

22nd day of December A. D. 2015

Christopher T. Ryan

Clerk

By Elvia Nordrager  
Deputy Clerk



**Certificate of Good Standing  
and  
No Disciplinary History**

United States District Court  
District of Colorado

I, Jeffrey P. Colwell, Clerk of the United States District Court  
DO HEREBY CERTIFY

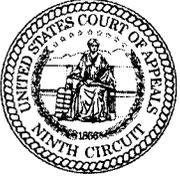
**MICHAEL ALAN HIATT**

was admitted to practice in this court on  
July 7, 2010  
and is in good standing with no disciplinary history.

Dated: December 17, 2015

---

Jeffrey P. Colwell, Clerk



Molly C. Dwyer  
Clerk of Court

Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
Post Office Box 193939  
San Francisco, California 94119-3939  
415-355-8000

## **Certificate of Good Standing**

I, Molly Dwyer, Clerk of this Court, certify that Michael Hiatt was duly admitted to practice in this Court on October 05, 2011 and is in good standing in this Court.

Dated at San Francisco, California on December 21, 2015.

A handwritten signature in cursive script, appearing to read "mcdwyer", positioned above a horizontal line.

---

Clerk of the United States Circuit Court of Appeals for the Ninth Circuit

**THE UNITED STATES OF AMERICA**



**for the Tenth Circuit**

I, Elisabeth A. Shumaker, Clerk of the United States Court of Appeals for the Tenth Circuit,

**DO HEREBY CERTIFY** that Michael A. Hiatt was

duly admitted to practice before this Court on June 13, 2014,

and is in good standing. There have been no disciplinary actions instituted in this court.

Dated at Denver, Colorado, on December 17, 2015.

ELISABETH A. SHUMAKER

Clerk of Court

By N. Brennan

Deputy Clerk