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2016 OCT -7 P 12:20

Arizona Corporation Commission

DOCKETED

OCT 07 2016

DOCKETED BY

1 Timothy M. Hogan (004567)
2 ARIZONA CENTER FOR LAW
3 IN THE PUBLIC INTEREST
4 514 W. Roosevelt Street
5 Phoenix, Arizona 85003
6 (602) 258-8850
7 *Attorneys for Earthjustice*

8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

9 DOUG LITTLE, Chairman
10 BOB STUMP
11 BOB BURNS
12 TOM FORESE
13 ANDY TOBIN

14 IN THE MATTER OF THE APPLICATION
15 OF ARIZONA PUBLIC SERVICE
16 COMPANY FOR A HEARING TO
17 DETERMINE THE FAIR VALUE OF THE
18 UTILITY PROPERTY OF THE COMPANY
19 FOR RATEMAKING PURPOSES, TO FIX A
20 JUST AND REASONABLE RATE OF
21 RETURN THEREON, TO APPROVE RATE
22 SCHEDULES DESIGNED TO DEVELOP
23 SUCH RETURN.

Docket No. E-01345A-16-0036

E-01345A-16-0123

**MOTION TO ASSOCIATE
COUNSEL PRO HAC VICE FOR
CHINYERE ASHLEY OSUALA**

18 Timothy M. Hogan, pursuant to Ariz. R. Sup. Ct. Rule 39, moves the Arizona
19 Corporation Commission to associate Chinyere Ashley Osuala as counsel *pro hac vice* in this
20 action. In support of this motion and pursuant to Rule 39(c)(1)(A), the following original
21 documents are attached:
22
23

- 24 1. Verified Application to Appear *Pro Hac Vice* (Exhibit A);
- 25 2. Certificate(s) of Good Standing (Exhibit B); and

1 3. State Bar of Arizona Notice of Receipt of Complete Application (Exhibit C).

2 Timothy M. Hogan hereby agrees to serve as local counsel in this matter and accepts the
3 responsibilities detailed in Ariz. R. Sup. Ct. Rule 39(b).
4

5 DATED this 7th day of October, 2016.

6 

7 _____
8 Timothy M. Hogan
9 Arizona Center for Law in the Public Interest
10 514 W. Roosevelt Street
11 Phoenix, AZ 85003
12 Phone: (602) 258-8850
13 *Attorney for Earthjustice*

14 ORIGINAL and 13 COPIES of the
15 Foregoing filed this 7th day of October,
16 2016, with:

17 Docketing Supervisor
18 Docket Control
19 Arizona Corporation Commission
20 1200 W. Washington
21 Phoenix, AZ 85007

22 COPIES of the foregoing
23 Electronically mailed this
24 7th day of October, 2016, to:

25 All Parties of Record
26

27 

1 **Arizona Corporation Commission**

2 In the matter of the application of Arizona)
3 Public Service Company for a hearing to)
4 determine the fair value of the utility property)
5 of the company for ratemaking purposes, to)
6 fix a just and reasonable rate of return)
7 thereon, to approve rate schedules designed)
8 to develop such return.)

CASE # E-01345A-160036

SBA App #1009782

**NOTICE OF RECEIPT OF
COMPLETE APPLICATION**

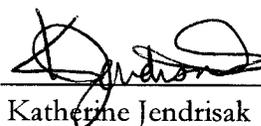
7 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the
8 verified application and fee from Chinyere Ashley Osuala.

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?
The Investigation of Value & Cost of Distributed Generation	Arizona Corporation Commission	1/14/2016	N

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

14 DATED this 8th day of September 2016

15 

16 Katherine Jendrisak
17 Resource Center Specialist
18 State Bar of Arizona

19 Original Mailed on this 8th day of September 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# 1009782
 Bar Number# 197835

8/29/2016
 Overnight or Hand Delivery: de 8/12/16
 4201 N. 24th St., Ste 100
 Phoenix, AZ 85016-6266
\$490.00

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Chinyere Ashley Osuala

Firm/Company Name: Earthjustice

Office Address: 1625 Massachusetts Ave., NW, Suite 702

Telephone: 202.797.5258 Fax: 202.667.2356 Email Address: cosuala@earthjustice.org

Residence Address: _____

Title of cause or case where applicant seeks to appear: In the matter of the application of Arizona Public Service Company for a hearing to determine the fair value of the utility property of the company for ratemaking purposes, to fix a just and reasonable rate of return thereon, to approve rate schedules designed to develop such return.

Docket Number: E-01345A-16-0036

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>New Jersey</u>	<u>11-13-2013</u>	<u>091212013</u>
<u>Pennsylvania</u>	<u>11-26-2013</u>	<u>317231</u>
<u>District of Columbia Circuit</u>	<u>04-12-2016</u>	<u>1023884</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 COMMISSION'S INVESTIGATION OF VALUE AND COST OF DISTRIBUTED GENERATION.</u>	<u>E-00000J-14-0023</u>	<u>Arizona Corporation Commission</u>	<u>Y</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# _____



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

For Official Use Only
 App# 1009782
 Bar Number# P197835

8/29/2016
 Overnight or Hand Delivery: EQ 81129
 4201 N. 24th St., Ste 100 \$490.00
 Phoenix, AZ 85016-6266

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Chinyere Ashley Osuala

Firm/Company Name: Earthjustice

Office Address: 1625 Massachusetts Ave., NW, Suite 702, Washington, DC 20036

Telephone: 202.797.5258 Fax: 202.667.2356 Email Address: cosuala@earthjustice.org

Residence Address: 301 G St., NE, Apt. 14, Washington, DC 20002

Title of cause or case where applicant seeks to appear: In the matter of the application of Arizona Public Service Company for a hearing to determine the fair value of the utility property of the company for ratemaking purposes, to fix a just and reasonable rate of return thereon, to approve rate schedules designed to develop such return.

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_____	_____	_____

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_____	_____	_____	_____
_____	_____	_____	_____

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# _____

Corrected Page 1

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 District of Columbia)
County of _____) ss.

I, Chinyere Ashley Osuala, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

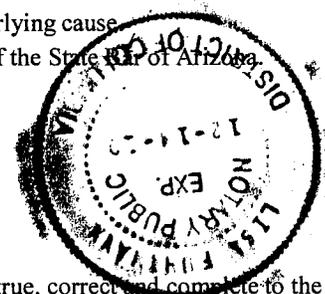
Dated: 8/9/16 Applicant's Signature: [Signature]

SUBSCRIBED AND SWORN TO before me this 9th day of August, 2016, by

Chinyere Ashley Osuala
Name of Applicant

LISA FUHRMANN
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires December 14, 2019

[Signature]
Notary Public



Osuala Application
Attachment

Names of each party in docket no. E-01345A-16-0036 and name and address of all counsel of record.

Party	Counsel of Record
Patricia Ferre	Patricia Ferre P.O. Box 433 Payson, AZ 85547
Richard Gayer	Richard Gayer 526 West Wilshire Dr. Phoenix, AZ 85003
Warren Woodward	Warren Woodward 55 Ross Circle Sedona, AZ 86336
IO Data Centers, LLC	Brittany L. DeLorenzo Anthony L. Wanger Alan L. Kierman IO Data Centers, LLC 615 N. 48 th Street Phoenix, AZ 85008
Freeport Minerals Corporation and Arizonans for Electric Choice and Competition	Patrick J. Black C. Webb Crockett Fennemore Craig, PC 2394 E. Camelback Road, Ste. 600 Phoenix, AZ 85016-3429
Sun City Home Owners Association	Steven Puck, Esq. Greg Eisert Government Affairs Sun City Homeowners Assoc. 10401 W. Coggins Drive Sun City, AZ 85351
Western Resource Advocates	Timothy M. Hogan Arizona Center for Law in the Public Interest 202 E. McDowell Road, Suite 153 Phoenix, AZ 85004
Arizona Investment Council	Meghan H. Grabel Osborn Maledon, P.A. 2929 North Central Avenue, Suite 2100 Phoenix, AZ 85012

Osuala Application
Attachment

Arizona Utility Ratepayer Alliance	Craig A. Marks Craig A. Marks, PLC 10645 N. Tatum Blvd. Suite. 200-676 Phoenix, AZ 85028
Property Owners and Residents Association of Sun City West	Al Gervenack Rob Robbins Property Owners & Residents Association 13815 Camino del Sol Sun City West, AZ 85372
Arizona Solar Energy Industries Association	Tom Harris 2122 W. Lone Cactus Dr., Suite 2 Phoenix, AZ 85027
Arizona School Boards Association and Arizona Association of School Business Officials	Timothy M. Hogan 202 E. McDowell Road, Suite 153 Phoenix, AZ 85004
Arizona Community Action Association	Cynthia Zwick Kevin Hengehold Arizona Community Action Association 2700 N. 3 rd St., Ste. 3040 Phoenix, AZ 85004
Residential Utility Consumer Office	Daniel W. Pozefsky Residential Utility Consumer Office 1110 West Washington, Suite 220 Phoenix, AZ 85007
Arizona Public Service Company	Thomas A. Loguvam Thomas L. Mumaw Melissa M. Krueger Pinnacle West Capital Corporation 400 North 5 th Street, MS 8695 Phoenix, AZ 85004
Vote Solar	Timothy M. Hogan 514 W. Roosevelt Street Phoenix, AZ 85003
Southwest Energy Efficiency Project	Timothy M. Hogan 514 W. Roosevelt Street Phoenix, AZ 85003

Osuala Application
Attachment

Electrical District Number Eight and McMullen Valley Water Conservation & Drainage District	Jay I. Moyes Moyes Sellers & Hendricks, Ltd. 1850 N. Central Ave., Ste. 1100 Phoenix, AZ 85012
The Kroger Co.	Kurt J. Boehm Jody Kyler Cohn Boehm Kurtz & Lowry 36 E. Seventh Street, Suite 15110 Cincinnati, OH 45202 John William Moore, Jr. 1321 North 16 th Street Phoenix, AZ 85020
Noble Americas Energy Solutions, LLC	Lawrence V. Roberson, Jr. PO Box 1448 Tubac, AZ 85646
Tucson Electric Power Company	Michael W. Patten Jason D. Gellman Snell & Wilmer, LLP One Arizona Center 400 East Van Buren Street Phoenix, AZ 85004
Pima County	Charles Wesselhoft Pima County Attorney's Office 32 North Stone Ave., Ste. 2100 Tucson, AZ 85701
Solar Energy Industries Association	Giancarlo G. Estrada Kamper Estrada, LLP 3030 N. 3 rd Street, Ste. 770 Phoenix, AZ 85012
Energy Freedom Coalition of America	Court S. Rich Rose Law Group PC 7144 E. Stetson Dr., Ste. 300 Scottsdale, AZ 85251
Wal-Mart Stores, Inc.	Scott S. Wakefield Hinton Curry, PLLC 5045 N. 12 th Street, Suite 110 Phoenix, AZ 85014

Osuala Application
Attachment

Local Unions 387 and 769 of IBEW, AFL-CIO	Nicholas J. Enoch Kaitlyn A. Redfield-Ortiz Emily A. Tornabene Lubin & Enoch, PC 349 N. 4 th Ave. Phoenix, AZ 85003
Arizona Competitive Power Alliance	Greg Patterson Munger Chadwick 916 West Adams, Ste. 3 Phoenix, AZ 85007
Arizona Corporation Commission	Janice Alward – Legal Division Thomas Broderick – Utilities Division Arizona Corporation Commission 1200 W. Washington Street Phoenix, AZ 85007



Supreme Court of Pennsylvania

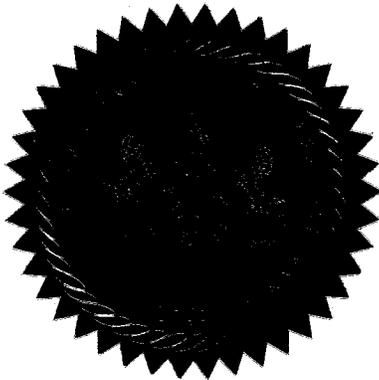
CERTIFICATE OF GOOD STANDING

Chinyere Ashley Osuala, Esq.

DATE OF ADMISSION

November 26, 2013

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: August 4, 2016



Patricia A. Johnson
Chief Clerk

Supreme Court of New Jersey



Certificate of Good Standing

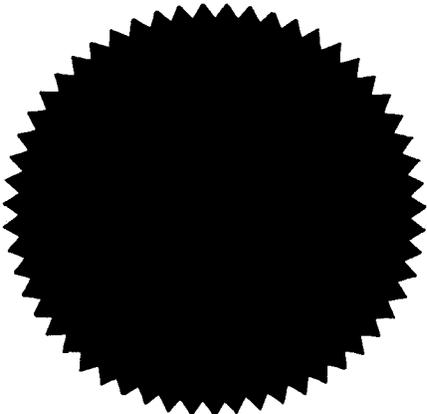
This is to certify that **CHINYERE ASHLEY OSUALA**
(No. **091212013**) *was constituted and appointed an Attorney at Law of New Jersey on* **November 13, 2013** *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.

*In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
4TH day of August, 20 16*

Mark R. ...
Clerk of the Supreme Court





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

CHINYERE A. OSUALA

*was on **APRIL 11, 2016** 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 **August 1, 2016.***

JULIO A. CASTILLO
Clerk of the Court

By: _____

Monette Lane
Deputy Clerk