



**Phillips Lytle** LLP

VIA ELECTRONIC FILING

April 30, 2020

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

**Re: Docket P-2020-3019290, Petition of PECO Energy Company for Approval of its  
Default Service Program for the Period from June 1, 2021 through May 31, 2025**

Dear Secretary Chiavetta,

Enclosed please find the Motion of StateWise Energy Pennsylvania LLC and SFE Energy Pennsylvania, Inc. (collectively, "StateWise") for Admission *Pro Hac Vice* for Thomas F. Puchner in the above-referenced proceeding. Copies have been provided to Administrative Law Judge Eranda Vero and those indicated on the Certificate of Service.

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson

Enclosure

cc: Certificate of Service  
Honorable Eranda Vero

ATTORNEYS AT LAW

GREGORY L. PETERSON, PARTNER DIRECT 716 483 5172 GPETERSON@PHILLIPSLYTLLE.COM

201 WEST THIRD STREET, SUITE 205 JAMESTOWN, NY 14701-4907 PHONE 716 664 3906 FAX 716 664 4230

NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | WASHINGTON, DC | CANADA: WATERLOO REGION | PHILLIPSLYTLLE.COM

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for Approval of  
its Default Service Program for the Period from June  
1, 2021 through May 31, 2025**

**Docket No. P-2020-3019290**

**MOTION FOR ADMISSION *PRO HAC VICE***

Pursuant to Section 5.103 of the Pennsylvania Public Utility Commission's ("Commission") regulations, 52 Pa. Code § 5.103, and Rule 301(b) of the Pennsylvania Bar Admission Rules, I, Gregory L. Peterson, as counsel to StateWise Energy Pennsylvania LLC and SFE Energy Pennsylvania, Inc. (collectively, "StateWise"), respectfully request that Your Honor enter an Order granting admission *pro hac vice* to Thomas F. Puchner, as counsel to StateWise, for all purposes related to the above-referenced proceeding ("Motion"). In support thereof, I, Gregory L. Peterson, hereby state as follows:

1. Pursuant to Section 1.24(b)(1) of the Commission's regulations, 52 Pa. Code § 1.24(b)(1), I have entered my appearance as counsel for StateWise in this proceeding, am an active member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 23976), and am a Partner of Phillips Lytle LLP, with my principal office located in Jamestown, New York.

2. Thomas F. Puchner is a Partner of Phillips Lytle LLP, whose principal office is located at 30 South Pearl Street, Albany NY 12207.

3. Thomas F. Puchner is a 2004 graduate of Vermont Law School. He is a member in good standing of the New York Bar since 2005. Thomas F. Puchner has never been suspended, disbarred, or been the subject of disciplinary proceedings in any state.

4. Thomas F. Puchner has experience and expertise in various aspects of regulatory and energy law, including issues related to utility rate proceedings and retail electric and gas matters, and has appeared in proceedings before state utility commissions and the Federal Energy Regulatory Commission.

5. Wherefore, I, Gregory L. Peterson, respectfully move for admission of Thomas F. Puchner, *pro hac vice*, on behalf of StateWise for all permissible purposes related to the above-referenced proceeding.

April 30, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson  
PA I.D. No. 23976  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
Phone: (716) 664-3906  
Fax: (716) 664-4230  
gpeterson@phillipslytle.com

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for Approval of  
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1, 2021 through May 31, 2025**

**Docket No. P-2020-3019290**

**VERIFIED STATEMENT OF GREGORY L. PETERSON, SPONSOR OF  
THOMAS F. PUCHNER, FOR ADMISSION *PRO HAC VICE***

Pursuant to 52 Pa. Code §§ 1.22(b) and 5.103 and Pa. B.A.R. 301 and Pa. R.C.P. 1012.1, Gregory L. Peterson, a member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 23976), is moving for the admission *pro hac vice* of Thomas F. Puchner, Esq. in the above-referenced proceeding. In support of the Motion, I, Gregory L. Peterson, submit this verified statement pursuant to Pa. R.C.P. 1012.1:

1. I have had sufficient opportunity to conduct a reasonable investigation regarding Thomas F. Puchner and can state that he is a reputable and competent attorney.

2. I am presently acting as the sponsor for admission *pro hac vice* in six other cases in this Commonwealth, five of which are unconsolidated matters involving the same transaction, all of which were approved. None of these six matters are proceedings before the Commission.

3. Any proceeds from the settlement of a cause of action in which the candidate is granted admission *pro hac vice* shall be received, held, distributed, and

accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including the ILOTA provisions thereof, if applicable.

4. I aver that *pro hac vice* appearance before the Pennsylvania Public Utility Commission is the equivalent to appearance before a special court, and that no fee paid to the IOLTA Board is therefore required for Mr. Puchner to appear *pro hac vice* in the above-referenced proceeding. See 204 Pa. Code § 81.505(c).

5. I shall remain the attorney of record in this case, as required by the Pennsylvania Rules of Civil Procedure.

6. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information, and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to falsifications to authorities).

April 30, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson  
PA I.D. No. 23976  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
Phone: (716) 664-3906  
Fax: (716) 664-4230  
gpeterson@phillipslytle.com  
Attorney for *StateWise Energy Pennsylvania LLC* and  
*SFE Energy Pennsylvania, Inc.*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PECO Energy Company for Approval of  
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1, 2021 through May 31, 2025**

**Docket No. P-2020-3019290**

**VERIFIED STATEMENT OF THOMAS F. PUCHNER  
FOR ADMISSION *PRO HAC VICE***

Pursuant to 52. Pa. Code §§ 1.22(b) and 5.103 and Pa. B.A.R. 301 and Pa. R.C.P. 1012.1, Gregory L. Peterson, a member of the Bar of the Commonwealth of Pennsylvania (Pa. I.D. No. 23976), is moving for my admission *pro hac vice* in the above-referenced proceeding. In support of the Motion, I submit this verified statement pursuant to Pa. R.C.P. 1012.1:

1. I am admitted to practice in and am a member of good standing in the Bar of New York, having been admitted in 2005. My New York attorney identification number is 4287983.
2. I have never been suspended, disbarred, or otherwise disciplined nor am I currently the subject of any disciplinary proceeding in any state.
3. I have not previously applied for admission *pro hac vice* in any court of record Pennsylvania.

4. I shall comply with and be bound by the applicable statutes, case law, and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

5. I shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during my appearance in the matter for which *pro hac vice* is being sought.

6. I consent to the appointment of the sponsoring attorney, Gregory L. Peterson, as the agent upon whom service of process shall be made for all actions, including disciplinary actions, that may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

7. I verify that the facts set forth herein are true and correct, to the best of my knowledge, information, and belief, and that I would be able to prove the same if a hearing were held regarding such facts. I understand that the statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to falsifications to authorities).

April 30, 2020

Respectfully submitted,

Phillips Lytle LLP

By *Thomas F. Puchner*

Thomas F. Puchner  
NY I.D. #4287983  
Omni Plaza  
30 South Pearl Street  
Albany, NY 12207-1537  
Phone: (518) 618-1214  
tpuchner@phillipslytle.com



## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA E-MAIL

Honorable Charles E. Rainey, Jr.  
Chief Administrative Law Judge  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120  
CRAINEY@pa.gov

Kenneth M. Kulak, Esq.  
Anthony C. DeCusatis, Esq.  
Catherin G. Vasudevan, Esq.  
Brooke E. McGlinn, Esq.  
Morgan, Lewis and Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103  
ken.kulak@morganlewis.com  
anthony.decusatis@morganlewis.com  
catherine.vasudevan@morganlewis.com  
brooke.mcglinn@morganlewis.com

Erin Fure  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, Pennsylvania 1710  
efure@pa.gov

W. Craig Williams, Esquire  
Anthony Gay, Esquire  
Jack Garfinkle, Esquire  
Exelon Business Services Company  
2301 Market Street, S23-1  
Philadelphia, PA 19101-8699  
craig.williams@exeloncorp.com  
anthony.gay@exeloncorp.com  
jack.garfinkle@exeloncorp.com

Aron J. Beatty, Esq.  
David T. Evrard, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
5th floor, Forum Place  
Harrisburg, PA 17101-1923  
abeatty@paoca.org  
devrard@paoca.org

Richard Kanaskie, Esq.  
Bureau of Investigation and  
Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
rkanaskie@pa.gov

Deanne M. O'Dell, Esq.  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, 8th Floor  
Harrisburg, PA 17101  
dodell@eckertseamans.com

Elizabeth R. Marx, Esq.  
PA Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
emarxpulp@palegalaid.net

Robert W. Ballenger, Esquire  
Josie B. H. Pickens, Esquire  
Joline R. Price, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102  
rballenger@clsphila.org  
jpickens@clsphila.org  
jprice@clsphila.org

April 30, 2020

Charis Mincavage, Esq.  
Adeolu A Bakare, Esq.  
Jo-Anne S. Thompson  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, Pennsylvania 17108  
cmincavage@mcneeslaw.com  
abakare@mcneeslaw.com  
jthompson@mcneeslaw.com

James H. Laskey  
Calpine Retail Holdings, LLC  
NJ Attorney I.D. No. 016311978  
Norris McLaughlin, P.A.  
400 Crossing Blvd 8th Floor  
Bridgewater Township, NJ 08807  
jlaskey@norris-law.com

Respectfully submitted,

Phillips Lytle LLP

By *Gregory L. Peterson*

Gregory L. Peterson  
PA I.D. No. 23976  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
Phone: (716) 664-3906  
Fax: (716) 664-4230  
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**Docket No. P-2020-3019290**

**NOTICE TO PLEAD**

You are hereby notified that a responsive pleading to the enclosed Motion for *Pro Hac Vice* must be filed within twenty (20) days of the date of service. All responsive pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission with a copy served to counsel for StateWise Energy Pennsylvania LLC and SFE Energy Pennsylvania, Inc. and the Administrative Law Judge assigned to this matter.

**File with:**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

**With a copy to:**

Gregory L. Peterson  
PA I.D. No. 23976  
201 West Third Street, Suite 205  
Jamestown, NY 14701-4907  
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Due to the COVID-19 pandemic, the Pennsylvania Public Utility Commission is encouraging individuals to eFile documents. Information regarding eFiling with the Commission is available at <https://www.puc.pa.gov/efiling/default.aspx>.

Date: April 30, 2020

*Gregory L. Peterson*

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Gregory L. Peterson  
Attorney for *StateWise Energy  
Pennsylvania LLC and SFE Energy  
Pennsylvania, Inc.*