

PAINTER LAW FIRM, PLLC

13017 DUNHILL DRIVE
FAIRFAX, VIRGINIA 22030

MICHELLE PAINTER
ATTORNEY AT LAW

703.201.8378
FAX 703.938.5936
E-mail: painterlawfirm@verizon.net

March 29, 2010

Via Electronic Filing

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

Re: Investigation Regarding Intrastate Access Charges and IntraLATA Toll Rates of
Rural Carriers and the Pennsylvania Universal Service Fund,
Docket No. 1-00040105

AT&T Communications of Pennsylvania, LLC, TCG New Jersey, Inc. and TCG
Pittsburgh, Inc. v. Armstrong Telephone Company-Pennsylvania, *et.al.*,
Docket Nos. C-2009-2098380, C-2009-2099805, C-2009-2098735

Dear Mr. McNulty:

Please find enclosed an original and three (3) copies of AT&T's Motion for Admission Pro Hac
Vice of Philip S. Shapiro in the above-referenced matter.

Please contact me if you have any questions or concerns with this matter.

Very truly yours,


Michelle Painter

cc: Certificate of Service
ALJ Kandace Melillo

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the Motion for Admission Pro Hac Vice of Philip S. Shapiro upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Fairfax, VA this 29th day of March 2010.

VIA E-MAIL AND FIRST CLASS MAIL

Norman J. Kennard, Esquire
Thomas, Long, Niesen & Kennard
212 Locust Street, Suite 500
Harrisburg, PA 17108
(717) 255-7600
nkennard@thomaslonglaw.com

Suzan D. Paiva
Verizon
1717 Arch Street
Philadelphia PA 19103
(215) 466-4755
Suzan.D.Paiva@Verizon.com

Bradford M. Stern, Esquire
Martin C. Rothfelder, Esquire
Rothfelder Stern, L.L.C.
625 Central Avenue
Westfield, NJ 07090
(908) 301-1211
bmstern@rothfelderstern.com

Christopher M. Arfaa, Esquire
Christopher M. Arfaa, P.C.
150 N. Radnor Chester Road, Suite F-200
Radnor, PA 19087-5245
(610) 977-2001
carfaa@arfaalaw.com

Pamela C. Polacek, Esq.
McNees Wallace & Nurick LLC
100 Pine Street
Harrisburg PA 17108-1166
(717) 232-8000
PPOLACEK@MWN.COM

Joel Cheskis, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
jcheskis@paoca.org

Zsuzanna Benedek, Esquire
CenturyLink
240 North Third Street, Suite 201
Harrisburg, PA 17101
(717) 245-6346
sue.e.benedek@embarq.com

Steven C. Gray, Esquire
Office of Small Business Advocate
300 North 2nd St, Suite 1102
Harrisburg, PA 17101
(717) 783-2525
sgray@state.pa.us

Renardo L. Hicks
Stevens & Lee
17 North Second St, 16th Floor
Harrisburg, PA 17101
(717) 234-1090
rlh@stevenslee.com

John F. Povalitis
Ryan, Russell, Ogden & Seltzer P.C.
800 North Third Street, Suite 101
Harrisburg, PA 17102-2025
(717) 236-7714
jpovalitis@ryanrussell.com

Allison C. Kaster
PA Public Utility Commission
Office of Trial Staff
PO Box 3265
Harrisburg, PA 17105
akaster@state.pa.us

Theresa Z. Cavanaugh
John Dodge
Davis, Wright, Tremaine, LLP
1919 Pennsylvania Ave, NW
Suite 200
Washington, DC 20006
(202) 973-4205
JohnDodge@dwt.com


Michelle Painter

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Regarding Intrastate Access	:	
Charges and IntraLATA Toll Rates of	:	Docket No. I-00040105
Rural Carriers and the Pennsylvania	:	
Universal Service Fund	:	
AT&T Communications of	:	
Pennsylvania, LLC, <i>et al.</i> ,	:	
Complainant	:	
	:	
v.	:	Docket Nos. C-2009-2098380, <i>et al.</i>
	:	
Armstrong Telephone Company -	:	
Pennsylvania, <i>et al.</i> ,	:	
Respondents	:	

NOTICE TO PLEAD

To the Parties in above-referenced proceeding:

You are hereby notified that AT&T Communications of Pennsylvania, LLC, and its affiliates appearing in this proceeding (“AT&T”) have filed a Motion for Admission *Pro Hac Vice* to which you must file an answer within twenty (20) days, pursuant to 52 Pa. Code §5.103(c). This Motion is to permit an attorney to represent AT&T in Pennsylvania for this case. Your failure to answer will allow the presiding officer to rule upon the items without a response from you, thereby requiring no other proof. All pleadings must be filed with the Secretary of the Public Utility Commission, with a copy served upon the undersigned counsel for AT&T.

Respectfully submitted,



Michelle Painter
PA Bar No. 91760
Painter Law Firm, PLLC
13017 Dunhill Drive
Fairfax, VA 22030
703-201-8378
painterlawfirm@verizon.net

Dated: March 29, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Regarding Intrastate Access :
Charges and IntraLATA Toll Rates of : Docket No. I-00040105
Rural Carriers and the Pennsylvania :
Universal Service Fund :

AT&T Communications of :
Pennsylvania, LLC, *et al.*, :
Complainant :
 :
v. : Docket Nos. C-2009-2098380, *et al.*
 :
Armstrong Telephone Company - :
Pennsylvania, *et al.*, :
Respondents :

**MOTION FOR ADMISSION PRO HAC VICE OF
PHILIP S. SHAPIRO**

Pursuant to 52 Pa. Code §§1.22(b) and 5.103 and Pa. B.A.R. 301, Michelle Painter, a member of the bar of the Commonwealth of Pennsylvania, respectfully moves for the admission of the following individual to appear as an attorney on behalf of AT&T Communications of Pennsylvania, LLC, (“AT&T”) in the above-referenced proceeding:

Philip S. Shapiro
AT&T Inc., Law Department
3033 Chain Bridge Road, Second Floor
Oakton, Virginia 22185
(703) 272-1478
psshapiro@att.com

In support of this Motion, the movant states:

1. I am an active member of the Pennsylvania Bar (Attorney ID No. 91760) and the Virginia Bar. I am in private practice, representing clients in telecommunications and public utility regulatory and legal matters in Pennsylvania and Virginia.

2. Mr. Shapiro is a member in good standing of the bars of Virginia, Maryland, New York, California, Florida, and the District of Columbia, having been admitted first in Maryland in 1976.

3. Mr. Shapiro has been actively involved in numerous regulatory proceedings on behalf of AT&T and its affiliates operating in a number of jurisdictions.

4. Attached hereto, pursuant to 52 Pa. Code. §1.36, is Mr. Shapiro's verification.

WHEREFORE, I move that Philip S. Shapiro be admitted to practice *Pro Hac Vice* on behalf of AT&T in the above-captioned proceeding.

Respectfully submitted,



Michelle Painter
Painter Law Firm, PLLC
13017 Dunhill Drive
Fairfax, VA 22030
Phone – (703) 201-8378
E-mail – painterlawfirm@verizon.net

Counsel for AT&T

Date: March 29, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Regarding Intrastate Access	:	
Charges and IntraLATA Toll Rates of	:	Docket No. I-00040105
Rural Carriers and the Pennsylvania	:	
Universal Service Fund	:	
AT&T Communications of	:	
Pennsylvania, LLC, <i>et al.</i> ,	:	
Complainant	:	
	:	
v.	:	Docket Nos. C-2009-2098380, <i>et al.</i>
	:	
Armstrong Telephone Company -	:	
Pennsylvania, <i>et al.</i> ,	:	
Respondents	:	

VERIFIED STATEMENT OF PHILIP S. SHAPIRO,
CANDIDATE FOR ADMISSION *PRO HAC VICE*

Pursuant to 52 Pa. Code §§1.22(b) and 5.103 and Pa. B.A.R. 301 and 1012.1, Michelle Painter, Esq., a member of the bar of the Commonwealth of Pennsylvania (Attorney ID No. 91760), is moving for my admission *pro hac vice* in the above-captioned proceeding. In support of said sponsor's motion, I, the candidate, Philip S. Shapiro, submit this verified statement, pursuant to Rule 1012.1:

1. I am admitted to practice in and am a member in good standing of the bars of Virginia (Virginia State Bar No. 66139), Maryland,¹ New York,² California (State Bar of

¹ Maryland attorneys are not assigned bar numbers. However, the Client Protection Fund of the Bar of Maryland has assigned me Pro Bono/IOLTA reporting number 7612300010.

² The New York Court of Appeals is New York State's highest court. Attorneys are admitted to practice law in New York State and before all New York State courts by a Department of the Appellate Division of the New York State Supreme Court. I was admitted to practice by the Third Department of the Appellate Division of the New York State Supreme Court. My New York State United Court System Registration number is 1918887. My New York State Bar Association membership number is 41747.

California No. 78119), Florida (Florida Bar No. 227536), and the District of Columbia (District of Columbia Bar No. 933689). With respect to each of these jurisdictions, I have never been suspended, disbarred, or otherwise disciplined nor am I currently the subject of any disciplinary proceeding.

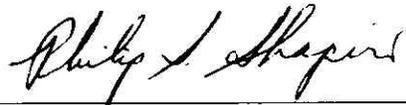
2. I currently am not admitted *pro hac vice* in any pending action in any court of record in Pennsylvania or in any pending administrative proceeding in Pennsylvania. In *Zack v. AT&T Communications of Pennsylvania, LLC*, Pennsylvania Public Utility Commission Complaint Docket No. C-2009-2127566 (“*Zack v. AT&T*”) a motion for my admission *pro hac vice* was denied by the administrative law judge (“ALJ”) for failure to include in the motion papers certain information and a notice to respond, as required by Rule 1021.1 of the Pennsylvania rules of Civil Procedure (*Zack v. AT&T, Order Denying Admission Pro Hac Vice*, dated December 9, 2009, at 2). An amended motion for my admission *pro hac vice* was denied on the grounds that there was insufficient time for the ALJ to rule on the motion before the hearing and that the record had subsequently closed (*Zack v. AT&T, Order Denying Respondent’s Amended Motion For Admission Pro Hac Vice*, dated February 19, 2010, at 2-3). In no other proceeding has a motion for my admission *pro hac vice* ever been denied.

3. 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.

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

5. I do consent to the appointment of the sponsoring attorney, Michelle Painter, Esq., 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.

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).



Philip S. Shapiro
General Attorney
AT&T Inc., Legal Department
3033 Chain Bridge Road, Second Floor
Oakton, Virginia 22185
(703) 272-1478
psshapiro@att.com

COMMONWEALTH OF VIRGINIA:

COUNTY OF FAIRFAX : ss.

Sworn to before me this 27th day of March 2010.


Notary Public of the Commonwealth of Virginia

SEAL

Printed Name: Paul N Kashchy

Registration No. 360800

My Commission Expires: MAY 31, 2013

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Regarding Intrastate Access	:	
Charges and IntraLATA Toll Rates of	:	Docket No. I-00040105
Rural Carriers and the Pennsylvania	:	
Universal Service Fund	:	
AT&T Communications of	:	
Pennsylvania, LLC, <i>et al.</i> ,	:	
Complainant	:	
	:	
v.	:	Docket Nos. C-2009-2098380, <i>et al.</i>
	:	
Armstrong Telephone Company -	:	
Pennsylvania, <i>et al.</i> ,	:	
Respondents	:	

STATEMENT OF MICHELLE PAINTER,
SPONSOR OF PHILIP S. SHAPIRO FOR ADMISSION *PRO HAC VICE*

Pursuant to 52 Pa. Code §§1.22(b) and 5.103 and Pa. B.A.R. 301 and 1012.1, Michelle Painter, Esq., a member of the bar of the Commonwealth of Pennsylvania (Attorney ID No. 91760), is moving for the admission *pro hac vice* of Philip S. Shapiro in the above-captioned proceeding. In support of the Motion, I, the sponsor, submit this verified statement, pursuant to Pa. R.C.P. Rule 1012.1:

1. I have worked with Mr. Shapiro for over three years with Mr. Shapiro as in-house counsel to AT&T. I have had sufficient opportunity during that time to conduct a reasonable investigation regarding Mr. Shapiro and can state that Mr. Shapiro is a reputable and competent attorney.

2. I am currently the sponsor for three other attorneys in all cases before any Pennsylvania state courts and the Pennsylvania Public Utility Commission, to wit: On October 28, 2009, ALJ Angela Jones granted a Motion which I filed to request the admission *pro hac vice* of Ms. Kara K. Gibney and Mr. Theodore A. Livingston in *Core Communications, Inc., v. AT&T Communications of Pennsylvania, LLC, et al.*, Docket Nos. C-2009-2108186 and C-2009-2108239. On October 21, 2009, ALJ Kandace F. Melillo granted a Motion which I filed to request the admission *pro hac vice* of Mr. Demetrios G. Metropoulos in *Investigation Regarding Intrastate Access Charges and IntraLATA Toll Rates of Rural Carriers and The Pennsylvania Universal Service Fund, et al.*, Docket Nos. I-00040105 and C-2009-2098380, *et al.*

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 IOLTA provisions thereof, if applicable.

4. I shall remain the attorney of record for this case, as required by the Rules of Civil Procedure.

5. 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).

Respectfully submitted,

A handwritten signature in black ink that reads "Michelle Painter". The signature is written in a cursive style with a horizontal line underneath the name.

Michelle Painter
PA Bar No. 91760
Painter Law Firm, PLLC
13017 Dunhill Drive
Fairfax, VA 22030
703-201-8378
painterlawfirm@verizon.net

March 29, 2010