

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 03A-061T

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IN THE MATTER OF THE APPLICATION OF WESTERN WIRELESS HOLDING CO. INC.  
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER.

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**ORDER GRANTING *PRO HAC VICE* ADMISSION**

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Mailed Date: June 13, 2003  
Adopted Date: June 11, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of a motion for *pro hac vice* admission of attorney David LaFuria for the purpose of this docket proceeding, filed by N.E. Colorado Cellular, Inc. (NECC), on May 22, 2003.

2. Rule 21(a) of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1, provides that an attorney in good standing before the highest tribunal of another state may appear and represent parties before the Commission consistent with Rules 121 and 221 of the Colorado Rules of Civil Procedure (C.R.C.P.).

3. The filing requirements under C.R.C.P. Rule 221 for an out of state attorney to practice in Colorado is as follows:

- (a) In order to be permitted to appear as counsel in a state trial court, the attorney must first:
  - (i) File a verified motion requesting permission to appear with the trial court;
  - (ii) Designate an associate attorney who is admitted and licensed to practice law in this state;

- (iii) File a copy of the verified motion with the Clerk of the Colorado Supreme Court at the Attorney Registration Office at the same time the verified motion is filed with the trial court;
  - (iv) Pay a \$250 fee to the Clerk of the Colorado Supreme Court collected by the Attorney Registration Office; and
  - (v) Obtain permission from the trial court for such appearance.
- (b) In the verified motion requesting permission to appear, the attorney must include:
- (i) A statement identifying all jurisdictions in which the attorney has been licensed;
  - (ii) A statement identifying by date, case name, and case number all other matters in Colorado in which *pro hac vice* admission has been sought in the preceding five years, and whether such admission was granted or denied;
  - (iii) A statement identifying all jurisdictions in which the attorney has been publicly disciplined, or in which the attorney has any pending disciplinary proceeding, including the date of the disciplinary action, the nature of the violation, and the penalty imposed;
  - (iv) A statement identifying the party or parties represented, and that the attorney has notified the party or parties represented of the verified motion requesting permission to appear;
  - (v) A statement that the attorney acknowledges he or she is subject to all applicable provisions of the Colorado Rules of Professional Conduct and the Colorado Rules of Civil Procedure, and that such rules have been read and will be followed throughout the *pro hac vice* admission, and that the verified motion complies with those rules;
  - (vi) The name, address, and membership status of the licensed Colorado attorney associated for purposes of the representation;
  - (vii) The signature of the licensed Colorado associate attorney, verifying that attorney's association on the matter.

Pursuant to C.R.C.P. Rule 221.1, these requirements are also applicable to matters “before any state agency in the hearings or arguments of any particular cause in which, for the time being, [an out-of-state- attorney] is employed ...” *Id.*

4. We find that NECC has provided all necessary information to determine that it has complied with the requirements of C.R.C.P. Rule 221. Therefore, pursuant to the provisions of Rule 4 CCR 723-1-21(a), we admit David LaFuria on a *pro hac vice* basis for the purpose of this docket proceeding.

## II. ORDER

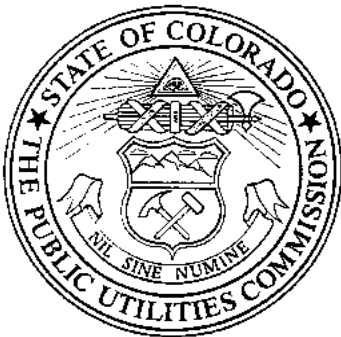
### A. The Commission Orders That:

1. The Motion of N.E. Colorado Cellular, Inc., for the admission of attorney David LaFuria on a *pro hac vice* basis for the purpose of this docket proceeding is granted.

2. This Order is effective on its Mailed Date.

### B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING June 11, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners