

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE JOINT APPLICATION )  
OF PEERLESS NETWORK, INC. AND INTELEPEER, )  
INC. FOR APPROVAL OF A TRANSFER OF )  
CONTROL OF AN AUTHORIZED TELECOMMUNICATIONS )  
PROVIDER ) PSC Docket No. 14-72  
(FILED FEBRUARY 11, 2014) )

ORDER No. 8542

ORDER GRANTING ADMISSION PRO HAC VICE

AND NOW, this 4<sup>th</sup> day of March, 2014, the Delaware Public Service Commission (the "Commission") having reviewed the Motion for the Admission *Pro Hac Vice* of Denise N. Smith, Esquire and the supporting certification which request an order granting the admission of Mr. Smith to appear *pro hac vice* in this docket, and having considered such Motion and supporting certification, both of which are attached as Exhibit "A";

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NO FEWER THAN THREE COMMISSIONERS:

The Motion for the Admission *Pro Hac Vice* of Denise N. Smith, Esquire to appear in this docket is hereby granted.

The request for waiver of Supreme Court Rule 72(c) is denied.

BY ORDER OF THE COMMISSION:

/s/ Dallas Winslow  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner



/s/ Jeffrey J. Clark  
Commissioner

\_\_\_\_\_  
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary



EXHIBIT "A"

MOTION AND ORDER FOR ADMISSION PRO HAC VICE  
FOR DENISE N. SMITH, ESQUIRE



BEFORE THE DELAWARE PUBLIC SERVICE COMMISSION

Joint Application of: )  
Peerless Network, Inc. )  
and )  
IntelePeer, Inc. )  
for Approval of a Transfer of Control of an )  
Authorized Telecommunications Provider )

Docket No. 14-72

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**MOTION AND ORDER FOR ADMISSION *PRO HAC VICE*  
OF DENISE N. SMITH**

Richard D. Kirk ("Movant"), a member of the Delaware Bar, pursuant to Supreme Court Rule 72, moves the admission *pro hac vice* of Denise N. Smith ("Applicant"), of Kelley Drye & Warren, LLP to represent Peerless Network Inc. and IntelePeer, Inc. in this action. Movant certifies that he finds the Applicant to be a reputable and competent attorney, and Movant is in a position to recommend the Applicant's admission. Applicant is admitted in good standing to the bar of the District of Columbia. Should this Motion be granted, Movant respectfully requests to be excused from the obligation of signing and receiving service of all notices, orders, pleadings, and other papers and attending all further proceedings before the Commission and its representatives, pursuant to Supreme Court Rule 72(c).

February 18, 2014

BAYARD, P.A.



Richard D. Kirk (Del. Bar ID 0922)

222 Delaware Avenue, Suite 900

P.O. Box 25130

Wilmington, DE 19899

rkirk@bayardlaw.com

(302) 655-5000

Attorneys for Joint Applicant,

Peerless Network, Inc. and IntelePeer, Inc.



## CERTIFICATION BY COUNSEL TO BE ADMITTED

I, Denise N. Smith, Esquire, hereby certify:

1. I agree to be bound by the Delaware Lawyers' Rules of Professional Conduct.
2. I agree to be bound by all Rules of the Court.
3. I have reviewed the Principles of Professionalism for Delaware Lawyers.
4. I consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions, including disciplinary actions, that may arise out of the practice of law under this Rule and any activities related thereto.
5. I have not appeared in any matters before the Public Service Commission in the last twelve months.
6. Kelley Drye & Warren, LLP, the firm by which I am employed, maintains an office in Washington, D.C.
7. I am a member in good standing of the bar of the District of Columbia. I have not previously been admitted to practice law in any other states or jurisdictions
8. I have not been disbarred or suspended and am not the object of any pending disciplinary proceedings in any jurisdiction where I have been admitted generally, *Pro Hac Vice*, or in any other way.
9. Payment for the *pro hac vice* application assessment in the amount of Three Hundred Dollars (\$300.00) is attached for deposit in the Delaware Supreme Court registration fund to be distributed as the Supreme Court directs pursuant to Rule 72.

December 24, 2013

  
Denise N. Smith, Esquire



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FOR DENISE N. SMITH, ESQUIRE



BEFORE THE DELAWARE PUBLIC SERVICE COMMISSION

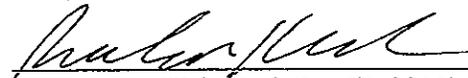
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Attorneys for Joint Applicant,  
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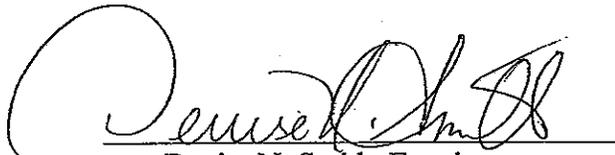


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