

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

South Heart Coal LLC
Permit No. SHSH-1001
Application

Case No. RC-10-77
OAH File No. 20110154

MOTION FOR ADMISSION TO PRACTICE *PRO HAC VICE*

Pursuant to North Dakota Admission to Practice Rule 3 (2005), the undersigned hereby respectfully moves that the Commission grant admission to practice *pro hac vice* to nonresident attorney Carrie La Seur for the purpose of appearing as counsel for interested parties Dakota Resource Council and Sierra Club in the above-captioned matter, and in support thereof states:

1. The undersigned, an attorney in good standing admitted and licensed to practice law in the State of North Dakota, will serve as co-counsel for Dr. La Seur in this matter;
2. The signed affidavit of Dr. La Seur, affirming that she has been admitted to the practice of law in the State of Iowa since April 2004 and in the State of Montana since October 2008, that she is not presently subject to a disciplinary proceeding in any jurisdiction, that she is not under any restriction or probation in the practice of law in any jurisdiction, and that she is not now nor has she ever been suspended or disbarred from a court in any jurisdiction is attached hereto;
3. A copy of this motion and accompanying affidavit has been contemporaneously filed with the State Board of Law Examiners together with a check for the required fee of \$380; and

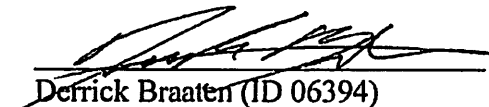
Wherefore, the undersigned respectfully requests that the Court grant this motion and allow the admission to practice *pro hac vice* of nonresident attorney Carrie La Seur for the purpose of appearing as counsel for Dakota Resource Council and Sierra Club in this matter.

Dated this 25th day of May, 2011.

Respectfully submitted,

BAUMSTARK BRAATEN LAW PARTNERS, P.C.

By:



Derrick Braaten (ID 06394)
222 North 4th Street
Bismarck, ND 58501-4004
Telephone: 701-221-2911
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ATTORNEYS FOR DAKOTA RESOURCE COUNCIL AND SIERRA CLUB

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**AFFIDAVIT OF CARRIE LA SEUR
IN SUPPORT OF MOTION FOR ADMISSION TO PRACTICE *PRO HAC VICE***

I, Carrie La Seur, do hereby state and affirm as follows:

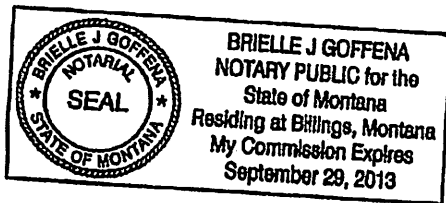
1. This affidavit is submitted in support of the foregoing attached motion that I be admitted to practice *pro hac vice* for the purpose of appearing as counsel in the above-captioned matter on behalf of interested parties Dakota Resource Council and Sierra Club.
2. I have been admitted to practice law in the State of Iowa since April 2004.
3. I am not presently subject to a disciplinary proceeding in any jurisdiction.
4. I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed.
5. I am not now nor have I ever been suspended or disbarred from a court in any jurisdiction.
6. I have appeared in the following North Dakota actions during the prior three years, and registered according to the procedures established by the Public Service Commission for each such proceeding: Public Service Commission Case Numbers PU-06-481 and PU-06-482 (Advance Determination of Prudence).
7. I have appeared as counsel of record in numerous judicial and administrative proceedings in the State of Iowa.

8. I am familiar with and prepared to comply with all rules governing proceedings in the District Courts of the State of North Dakota, as well as all rules governing the professional conduct of attorneys in the State of North Dakota.

The contents of the foregoing affidavit are true and correct as I verily believe.

Dated this 26th day of May, 2011, at Billings, MT.

Brielle J Goffena
BRIELLE J GOFFENA
NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana
My Commission Expires 9-29-2013




Carrie La Seur
Carrie La Seur, Affiant
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION FOR ADMISSION TO PRACTICE PRO HAC VICE** with attached **AFFIDAVIT** was on May 26, 2011, mailed and emailed to the following:

Illona Jeffcoat-Sacco
ND Public Service Commission
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Bismarck, ND 58505-0480
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Derrick Braaten