



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY



BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION

MONTANA-DAKOTA UTILITIES CO., A DIVISON )  
OF MDU RESOURCES GROUP, INC. )  
2017 NATURAL GAS RATE INCREASE APPLICATION )  
\_\_\_\_\_ )

Case No. PU-17-295

December 8, 2017

Darrell Nitschke, Executive Secretary  
North Dakota Public Service Commission  
State Capital Building  
600 E. Boulevard Avenue  
Bismarck, ND 58505-0480

Secretary Nitchke:

Enclosed for filing on behalf of Federal Executive Agencies (“FEA”) are Motions to Appear Pro Hac Vice and payment in response to Commission Notice. Please also note that with respect to the December 6, 2017 pre-hearing, FEA was properly noticed; however, was not in attendance. We have no objections to the scheduling order. We should have made prior arrangements or given notice of the current state of our pro hac vice motions prior to the pre-hearing. We have had some difficulty due to obtaining the proper funding method for the fees associated with pro hac vice entrance. We have now obtained that funding and have filed these motions. FEA plans to fully participate now that we have filed for pro hac vice.

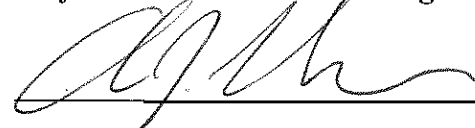
**BREAKING BARRIERS...SINCE 1947**

Thank you for your assistance. If you should have any question about this filing, please do not hesitate to contact me.

Sincerely,

**Attorneys for Federal Executive Agencies**

By:



Andrew J. Unsicker  
Lanny L. Ziemann  
Natalie A. Cepak  
Thomas A. Jernigan  
AFLOA/JACE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
Org box E-mail: [ULFSC.Tyndall@us.af.mil](mailto:ULFSC.Tyndall@us.af.mil)

Enclosure:

cc: Motions for Pro Hac Vice

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**MONTANA-DAKOTA UTILITIES CO., A DIVISON )  
OF MDU RESOURCES GROUP, INC. )  
2017 NATURAL GAS RATE INCREASE APPLICATION )**

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**Case No. PU-17-295**

**MOTION FOR ADMISSION PRO HAC VICE**

Comes Now Federal Executive Agencies (FEA), pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, for an Order granting the admission of Maj Andrew J. Unsicker to appear pro hac vice in the above-captioned matter. In support of this motion, FEA states and alleges as follows:

1. Maj Andrew J. Unsicker is an attorney for the United States Air Force Utility Law Field Support Center appearing in the above-captioned docket on behalf of the Federal Executive Agencies (FEA).

2. His mailing address is:

Maj Andrew J. Unsicker  
AFLOA/JACE-ULFSC  
Federal Executive Agencies (FEA)  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
(850) 283-6347  
Andrew.Unsicker@us.af.mil  
Org box E-mail: ULFSC.Tyndall@us.af.mil  
Counsel for FEA

3. The appointed FEA pro hac vice associate lawyer is Lt Col Michelle I. Hagel, who is a resident practicing attorney in North Dakota and a member in good standing with the North Dakota State Bar (Bar No. 05844). Michelle I. Hagel's contact information is as follows:

NGND-SJA  
P.O. Box 5511  
Bismarck, ND 58506-5511  
DOD Office Commercial: 701-333-2019

4. Maj Unsicker is an attorney with thirteen (13) years of experience. He has been admitted before other state public utility commissions. He is one of four (4) FEA attorney's requesting pro hac vice admission in this proceeding.

5. Maj Unsicker is admitted to practice law in the state of Maryland and is a member in good standing of said bar (Bar No. 0412150373). Attached herewith is Maj Unsicker's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.

6. Maj Unsicker is not presently and has never been subject to a public disciplinary proceeding.

7. Maj Unsicker is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.

8. Maj Unsicker is not and has never been suspended or disbarred from a court in any jurisdiction.

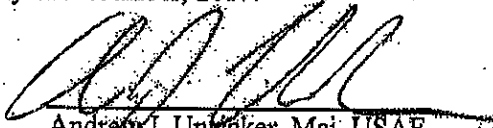
9. Maj Unsicker has not appeared in any North Dakota state court or administrative proceeding during the last three years and has never registered under Rule 3 of the North Dakota Rules of Admission to Practice.

10. Maj Unsicker has concurrently sent a copy of this motion and affidavit to the State Board of Law Examiners.

11. Maj Unsicker is remitting to the State Board of Law Examiners the required fee required for pro hac vice admission.

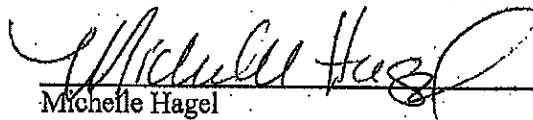
12. Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, FEA respectfully request the Commission issue an Order granting permission for Maj Andrew J. Unsicker to practice before the Commission pro hac vice.

Respectfully submitted this 9<sup>th</sup> day of December, 2017.



Andrew J. Unsicker, Maj, USAF  
Andrew J. Unsicker (MD Bar No. 0412150373)  
AFLOA/JACE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
(850) 283-6347  
Andrew.Unsicker@us.af.mil  
Org box E-mail: ULFSC.Tyndall@us.af.mil  
Counsel for FEA

And,



Michelle Hagel  
Lt Col, JA, NDNG  
Joint Staff Judge Advocate  
Comm: (701) 333-2098  
DSN: 373-2098  
Fax: (701) 333-2037  
ND Bar #05844

**BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

**MONTANA-DAKOTA UTILITIES CO., A DIVISON )  
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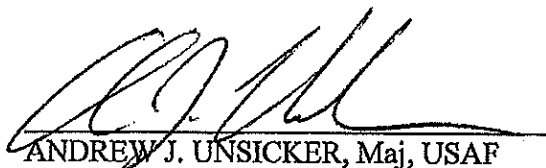
**AFFIDAVIT OF ANDREW J. UNSICKER**

I, **Andrew J. Unsicker** being first duly sworn on oath, deposes and says that:

1. I am admitted to practice law in the highest court of Maryland (MD Bar No. 0412150373),
2. I am not presently subject to a disciplinary proceeding in any jurisdiction.
3. I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed,
4. I am not now, nor have I ever been, suspended or disbarred from a court in any jurisdiction, and
5. I have not appeared in any North Dakota state court or administrative proceeding during the last three years and has never registered under Rule 3 of the North Dakota Rules of Admission to
6. My contact information is as follows:

Andrew J. Unsicker, Maj, USAF  
AFLOA/JACE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
(850) 283-6347  
Andrew.Unsicker@us.af.mil  
Org box E-mail: ULFSC.Tyndall@us.af.mil  
Counsel for FEA

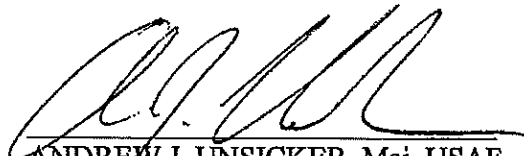
7. The required fee has been remitted to the State Board of Law Examiners.

A handwritten signature in black ink, appearing to read 'A. Unsicker', written over a horizontal line.

ANDREW J. UNSICKER, Maj, USAF  
AFLOA/JACE-ULFSC  
Counsel for FEA


**VERIFICATION**

I, Andrew J. Unsicker, hereby affirm that I have knowledge of the contents of the foregoing  
Verified MOTION FOR ADMISSION PRO HAC VICE AND SUPPORTING AFFIDAVIT and  
it is true and accurate to the best of my knowledge.

  
ANDREW J. UNSICKER, Maj, USAF  
Counsel for FEA

Signed and sworn to before me, a Notary by federal statute, this 8<sup>th</sup> day of December, 2017.

NOTARY PUBLIC  
OFFICE OF THE  
STAFF JUDGE ADVOCATE  
TITLE 10 UNITED STATE CODE  
SECTION 1044(a)

  
RYAN K. MOORE, TSgt, USAF  
10 U.S.C. § 1044(a)

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**MONTANA-DAKOTA UTILITIES CO., A DIVISION  
OF MDU RESOURCES GROUP, INC.  
2017 NATURAL GAS RATE INCREASE APPLICATION**

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Case No. PU-17-295

**MOTION FOR ADMISSION PRO HAC VICE**

Comes Now Federal Executive Agencies (FEA), pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, for an Order granting the admission of Mr. Thomas A. Jernigan to appear pro hac vice in the above-captioned matter. In support of this motion, FEA states and alleges as follows:

1. Mr. Jernigan is an attorney for the United States Air Force Utility Law Field Support Center appearing in the above-captioned docket on behalf of the Federal Executive Agencies (FEA).

2. His mailing address is:

Thomas A. Jernigan  
AFCEC/JA-ULFSC  
Federal Executive Agencies (FEA)  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
(850) 283-6663  
Thomas.Jernigan.3@us.af.mil  
Org box E-mail: ULFSC.Tyndall@us.af.mil  
Counsel for FEA

3. The appointed FEA pro hac vice associate lawyer is Lt Col Michelle I. Hagel, who is a resident practicing attorney in North Dakota and a member in good standing with the North Dakota State Bar (Bar No. 05844). Michelle I. Hagel's contact information is as follows:

NGND-SJA  
P.O. Box 5511  
Bismarck, ND 58506-5511  
DOD Office Commercial: 701-333-2019

4. Mr. Jernigan is an attorney with 8 years of experience. He has been admitted before other state public utility commissions. He is one of three FEA attorney's requesting pro hac vice admission in this proceeding.

5. Mr. Jernigan is admitted to practice law in the state of Ohio and is a member in good standing of said bar (Bar No. 84008). Attached herewith is Mr. Jernigan's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.

6. Mr. Jernigan is not presently and has never been subject to a public disciplinary proceeding.

7. Mr. Jernigan is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.

8. Mr. Jernigan is not and has never been suspended or disbarred from a court in any jurisdiction.

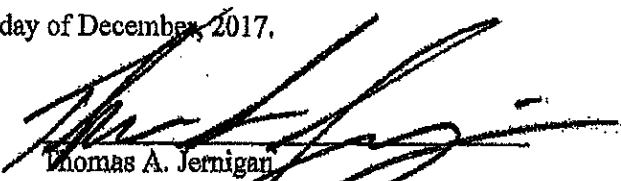
9. Within the last three years, Mr. Jernigan appeared in North Dakota docket # PU-15-090 proceeding where he was granted pro hac vice status under North Dakota Supreme Court Rule 3 of the North Dakota Rules of Admission to Practice.

10. Mr. Jernigan has concurrently sent a copy of this motion and affidavit to the State Board of Law Examiners.

11. Mr. Jernigan is remitting to the State Board of Law Examiners the required fee required for pro hac vice admission.


12. Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, FEA respectfully request the Commission issue an Order granting permission for Mr. Thomas A. Jernigan to practice before the Commission pro hac vice.

Respectfully submitted this 8<sup>th</sup> day of December, 2017.



Thomas A. Jernigan  
Thomas A. Jernigan (OH Bar No. 84008)  
AFCEC/JA-ULFSC  
Federal Executive Agencies (FEA)  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
(850) 283-6663  
Thomas.Jernigan.3@us.af.mil  
Org box E-mail: ULFSC.Tyndall@us.af.mil  
Counsel for FEA

And,



Michelle Hagel  
Lt Col, JA, NDNG  
Joint Staff Judge Advocate  
Comm: (701) 333-2098  
DSN: 373-2098  
Fax: (701) 333-2037  
ND Bar #05844

**BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

**MONTANA-DAKOTA UTILITIES CO., A DIVISON )  
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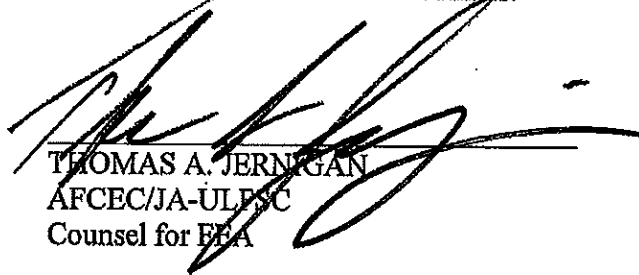
**AFFIDAVIT OF THOMAS A. JERNIGAN**

I, **Thomas A. Jernigan** being first duly sworn on oath, deposes and says that:

1. I am admitted to practice law in the highest court of Ohio (OH Bar No. 84008),
2. I am not presently subject to a disciplinary proceeding in any jurisdiction.
3. I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed,
4. I am not now, nor have I ever been, suspended or disbarred from a court in any jurisdiction, and
5. I have appeared in North Dakota docket # PU-15-090 proceeding within the last three years where I was granted pro hac vice status under North Dakota Supreme Court Rule 3 of the North Dakota Rules of Admission to Practice.
6. My contact information is as follows:

Thomas A. Jernigan  
AFCEC/JA-ULFSC  
Federal Executive Agencies (FEA)  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403  
Thomas.Jernigan.3@us.af.mil  
Org box E-mail: ULFSC.Tyndall@us.af.mil  
Counsel for FEA

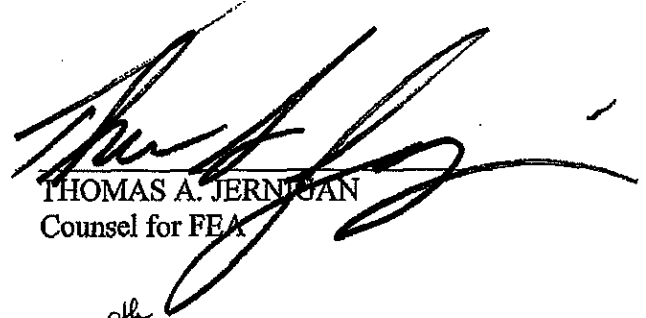
7. The required fee has been remitted to the State Board of Law Examiners.



THOMAS A. JERNIGAN  
AFCEC/JA-ULESC  
Counsel for EBA

**VERIFICATION**

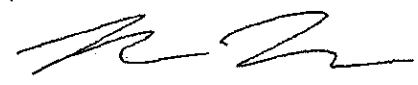
I, Thomas A. Jernigan, hereby affirm that I have knowledge of the contents of the foregoing  
Verified MOTION FOR ADMISSION PRO HAC VICE AND SUPPORTING AFFIDAVIT and  
it is true and accurate to the best of my knowledge.



THOMAS A. JERNIGAN  
Counsel for FEA

Signed and sworn to before me, a Notary by federal statute, this 8<sup>th</sup> day of December, 2017.

**NOTARY PUBLIC  
OFFICE OF THE  
STAFF JUDGE ADVOCATE  
TITLE 10 UNITED STATE CODE  
SECTION 1044(a)**



RYAN K. MOORE, TSgt, USAF  
10 U.S.C. § 1044(a)



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY



BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION

MONTANA-DAKOTA UTILITIES CO., A DIVISON )  
OF MDU RESOURCES GROUP, INC. )  
2017 NATURAL GAS RATE INCREASE APPLICATION )  
\_\_\_\_\_ )

Case No. PU-17-295

December 7, 2017

Darrell Nitschke, Executive Secretary  
North Dakota Public Service Commission  
State Capital Building  
600 E. Boulevard Avenue  
Bismarck, ND 58505-0480

Secretary Nitchke:

Enclosed for filing on behalf of Federal Executive Agencies (“FEA”) is an Excusal Request of Pro Hac Vice Associated Counsel.

Thank you for your assistance. If you should have any question about this filing, please do not hesitate to contact me.

Sincerely,

Attorneys for Federal Executive Agencies

By: 

Andrew J. Unsicker  
Lanny L. Zieman  
Natalie A. Cepak  
Thomas A. Jernigan  
AFLOA/JACE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
Org box E-mail: ULFSC.Tyndall@us.af.mil

Enclosure:

cc: Excusal Request of Pro Hac Vice Associated Counsel  
Counsel for Parties of Record (w/enc)

**BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

**MONTANA-DAKOTA UTILITIES CO., A DIVISON )  
OF MDU RESOURCES GROUP, INC. )  
2017 NATURAL GAS RATE INCREASE APPLICATION )**

**Case No. PU-17-295**

**FEDERAL EXECUTIVE AGENCIES' EXCUSAL REQUEST OF  
PRO HAC VICE ASSOCIATED COUNSEL**

1. The Federal Executive Agencies (FEA), by and through counsel, respectfully request that Lt Col Michelle I. Hagel, a North Dakota attorney in active status and in good standing (ND Bar #05844), be excused, pursuant to North Dakota Supreme Court Rule 3, from appearing in all proceedings and participating in all filings pertaining to the above Docket.

2. The representation of FEA's interest in this proceeding has been delegated to the Utility Law Field Support Center (ULFSC), located at Tyndall AFB, FL, pursuant to 40 U.S.C. 121(d) and 501(c) [these sections supersede 40 U.S.C. 481(a)(4) and 486(d)]. The ULFSC consists of the following attorneys responsible for representing FEA's interest in this Proceeding: Maj Andrew J. Unsicker, Capt Lanny L. Zieman, Capt Natalie A. Cepak, and Mr. Thomas A. Jernigan.

3. Lt Col Michelle I. Hagel is not a member of the ULFSC but is employed as a Joint Staff Judge Advocate assigned to the North Dakota National Guard Staff Judge Advocate Office, Bismarck, ND. Lt Col Hagel's involvement within this docket is limited to providing pro hac vice sponsorship to Maj Andrew J. Unsicker, Capt Lanny L. Zieman, Capt Natalie A. Cepak, and Mr. Thomas A. Jernigan.

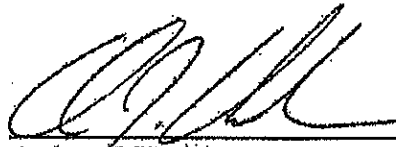
4. The ULFSC has intervened and is awaiting the Commission's decision on granting pro hac vice status to the above-listed ULFSC attorneys.

5. FEA respectfully moves that Lt Col Michelle I. Hagel be excused from appearing on behalf of FEA in all proceedings and filings pertaining to Docket No. PU-17-295.

Respectfully submitted this 8<sup>th</sup> day of December 2017.

**Attorneys for Federal Executive Agencies**

By:



Andrew J. Unsicker

Andrew J. Unsicker

Lanny L. Ziemann

Natalie A. Cepak

Thomas A. Jernigan

AFLOA/JACE-ULFSC

139 Barnes Drive, Suite 1

Tyndall Air Force Base, Florida 32403

Org box E-mail: [ULFSC.Tyndall@us.af.mil](mailto:ULFSC.Tyndall@us.af.mil)

(850) 283-6347

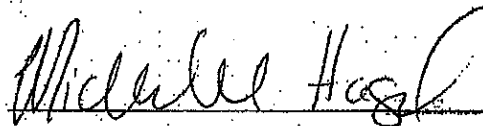
[Andrew.Unsicker@us.af.mil](mailto:Andrew.Unsicker@us.af.mil)

[Lanny.Ziemann.1@us.af.mil](mailto:Lanny.Ziemann.1@us.af.mil)

[Natalie.Cepak.2@us.af.mil](mailto:Natalie.Cepak.2@us.af.mil)

[Andrew.Jernigan.3@us.af.mil](mailto:Andrew.Jernigan.3@us.af.mil)

And,



Michelle I. Hagel

Lt Col, JA NDNG

Joint Staff Judge Advocate

(701) 333-2098

ND Bar# 05844

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been furnished by electronically and/or by or U.S. mail on this 8<sup>th</sup> day of December, 2017 to the following:

/s/ Ebony M. Payton \_\_\_\_\_

Ebony M. Payton

FEA Paralegal

|  |   |
|--|---|
| <p>John Hamre<br/>Public Service Commission<br/>600 East Boulevard Ave.<br/>Bismarck, ND 58505<br/><a href="mailto:jghamre@nd.gov">jghamre@nd.gov</a><br/><a href="mailto:NDPSC@nd.gov">NDPSC@nd.gov</a></p>   | <p>Ilona Jeffcoat-Sacco<br/>John Schuh<br/>Public Service Commission<br/><a href="mailto:ijs@nd.gov">ijs@nd.gov</a><br/><a href="mailto:jschuh@nd.gov">jschuh@nd.gov</a></p>  |
| <p>Dan Kuntz<br/>MDU Resources Group<br/><a href="mailto:Dan.Kuntz@mduresources.com">Dan.Kuntz@mduresources.com</a></p>  | <p>Mitch Armstron<br/>Sarah Kuntz<br/><a href="mailto:marmstrong@smithporsborg.com">marmstrong@smithporsborg.com</a><br/><a href="mailto:skuntz@smithporsborg.com">skuntz@smithporsborg.com</a></p>                           |
| <p>John B. Coffman<br/>John B. Coffman, LLC<br/>871 Tuxedo Blvd<br/>St. Louis, MO 63119-2044<br/>(573) 424-6779<br/><a href="mailto:John@JohnCoffman.net">John@JohnCoffman.net</a></p>   | <p>Tamie Aberle<br/>Montana-Dakota Utilities Co<br/>400 North 4<sup>th</sup> Street<br/>Bismarck, ND 58501</p>  |
| <p>David A. Tschider<br/>418 E. Rosser Avenue, Suite 200<br/>Bismarck, ND 58501<br/><a href="mailto:DTschider@tschider-smithlaw.com">DTschider@tschider-smithlaw.com</a></p>   | <p>Paul Sanderson<br/>Montana-Dakota Utilities Co<br/>Evenson Sanderson PC<br/>103 South 3<sup>rd</sup> Street, Suite 5<br/>Bismarck, ND 58501</p>  |
| <p>Patrick J. Ward<br/>Zuger, Kirmis &amp; Smith<br/>P.O. Box 1695<br/>Bismarck, ND 58502</p>  | <p>Karl Liepitz<br/>MDU Resource Group, Inc.<br/>P.O. Box 5650<br/>Bismarck, ND 58506</p>   |
| <p>Andrew J. Unsicker, Maj, USAF<br/>AFLOA/JACE-ULFSC<br/>139 Barnes Drive, Suite 1<br/>Tyndall Air Force Base, Florida 32403<br/>(850) 283-6347<br/><a href="mailto:Andrew.Unsicker@us.af.mil">Andrew.Unsicker@us.af.mil</a><br/><a href="mailto:ULFSC.Tyndall@us.af.mil">ULFSC.Tyndall@us.af.mil</a></p> | <p>Lanny L. Zieman, Capt, USAF<br/>AFLOA/JACE-ULFSC<br/>139 Barnes Drive, Suite 1<br/>Tyndall Air Force Base, Florida 32403<br/>(850) 282-8863<br/><a href="mailto:Lanny.Zieman.1@us.af.mil">Lanny.Zieman.1@us.af.mil</a></p> |
| <p>Natalie A. Cepak, Capt, USAF<br/>AFLOA/JACE-ULFSC<br/>139 Barnes Drive, Suite 1<br/>Tyndall Air Force Base, Florida 32403<br/>(850) 283-6348<br/><a href="mailto:Natalie.Cepak.2@us.af.mil">Natalie.Cepak.2@us.af.mil</a></p>   | <p>Mr. Thomas A. Jernigan<br/>AFCEC/JA-ULFSC<br/>139 Barnes Drive, Suite 1<br/>Tyndall Air Force Base, Florida 32403-<br/>(850) 283-6663<br/><a href="mailto:Thomas.Jernigan.3@us.af.mil">Thomas.Jernigan.3@us.af.mil</a></p> |
| <p>Ms. Ebony M. Payton<br/>AFCEC/CN-ULFSC<br/>139 Barnes Drive, Suite 1<br/>Tyndall Air Force Base, Florida 32403-<br/>(850) 283-6236<br/><a href="mailto:Ebony.Payton.ctr@us.af.mil">Ebony.Payton.ctr@us.af.mil</a></p>   | <p>Ryan K. Moore, TSgt, USAF<br/>AFLOA/JACE-ULFSC<br/>139 Barnes Drive, Suite 1<br/>Tyndall Air Force Base, Florida 32403<br/>(850) 283-6289<br/><a href="mailto:Ryan.Moore.5@us.af.mil">Ryan.Moore.5@us.af.mil</a></p>       |



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY



BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION

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Case No. PU-17-295

December 8, 2017

State Board of Law Examiners  
Judicial Wing, 1<sup>st</sup> Floor  
600 E. Boulevard Avenue  
Bismarck, ND 58505

Secretary Nitchke:

Enclosed for filing on behalf of Federal Executive Agencies ("FEA") are Motions to Appear Pro Hac Vice and payment in response to Commission Notice.

Thank you for your assistance. If you should have any question about this filing, please do not hesitate to contact me.

Sincerely,

Attorneys for Federal Executive Agencies

By: \_\_\_\_\_

*[Signature]*  
Andrew J. Unsicker  
Lanny L. Zieman  
Natalie A. Cepak  
Thomas A. Jernigan  
AFLOA/JACE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
Org box E-mail: [ULFSC.Tyndall@us.af.mil](mailto:ULFSC.Tyndall@us.af.mil)

Enclosure:  
cc: Motions for Pro Hac Vice  
Pro Hac Vice Payment