



KNOLL LEIBEL ^{LLP}
ATTORNEYS AT LAW

April 11, 2023

VIA U.S. MAIL & E-MAIL: ndpsc@nd.gov

Steve Kahl
Executive Secretary
North Dakota Public Service Commission
State Capitol
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

RE: In the Matter of the Application of SCS Carbon Transport LLC for
Certificate of Corridor Compatibility and Route Permit for the Midwest
Carbon Express
Case No.: PU-22-391

Dear Mr. Kahl:

Enclosed for filing please find the following original documents:

1. Request for Leave to Appear Without Local Counsel;
2. Declaration of Service.

This Request is being filed with the North Dakota Public Service Commission (hereinafter "NDPSC") on behalf and at the request of Intervenor to allow Attorney Brian Jorde to appear without local counsel (Steven Leibel and David Knoll) at today's hearing Wahpeton, North Dakota. This request is being made to reduce Intervenor attorneys fees and costs because local counsel is located in Bismarck, North Dakota.

Please feel free to call me with any questions.

Sincerely,

KNOLL LEIBEL LLP

Steven J. Leibel
steve@bismarck-attorneys.com

SJL: rmo
Enclosures

Steven J. Leibel, Partner

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Request for Leave to Appear Without Local Counsel
Knoll Leibel, LLP, on behalf of and at the request of Intervenor
Steven J. Leibel

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
FOR THE MIDWEST CARBON EXPRESS
PROJECT IN BURLEIGH, CASS, DICKEY,
EMMONS, LOGAN, MCINTOSH,
MORTON, OLIVER, RICHLAND AND
SARGENT COUNTIES, NORTH DAKOTA

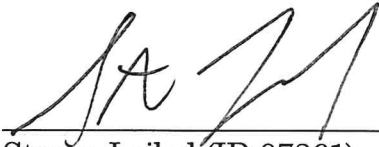
Case No. PU-22-391

**REQUEST FOR LEAVE TO
APPEAR WITHOUT LOCAL
COUNSEL**

On March 7, 2023 the Public Service Commission entered its Order Granting Admission Pro Hac Vice of Brian E. Jorde to represent the Intervenors (Doc. No. 70). Intervenors and their attorneys, David Knoll, Steven Leibel, and Brian Jorde hereby request that Brian Jorde appear without local counsel (Steven Leibel and David Knoll) at the Public Service Commission hearing being heard today, April 11, 2023 at the Harry Stern and Ella Stern Cultural Center, ND State College of Science, 820 6th Street Oval, Wahpeton, ND 58075. This request is due to Attorneys Leibel and Knoll being located in Bismarck, which would increase attorneys' fees and costs for the Intervenors.

Intervenors therefore respectfully request that Attorney Brian Jorde be permitted to appear at the April 11, 2023 hearing without local counsel (Steven Leibel and David Knoll).

Dated this 11th day of April, 2023



Steven Leibel (ID 07361)
David Knoll (ID 06167)
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Landowners'/Intervenors' Lawyers

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
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SARGENT COUNTIES, NORTH DAKOTA

Case No. PU-22-391

DECLARATION OF SERVICE

[1] Rosanne Ogden declares that I am of legal age and not a party to this action, and that I served the following document(s):

- 1. Request to Appear without Local Counsel; and**
- 2. Declaration of Service.**

[2] On April 11, 2023, by sending a true and correct copy thereof by electronic means only to the following email addresses, to wit:

John Maurice Schuh Bar ID 08138
Special Assistant Attorney General
North Dakota Public Service
Commission
600 E. Boulevard Ave, Dept. 408
Bismarck, ND 58505-0480
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North Dakota Public Service
Commission
ndpsc@nd.gov

[3] and by sending the originals and seven (7) copies of said documents via U.S. Mail, at Bismarck, North Dakota with postage prepaid, to the following:

Steve Kahl
Executive Secretary
North Dakota Public Service Commission
State Capitol
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

[4] The addresses of each party served are the last reasonably ascertainable e-mail address and post office address of such party.

[5] I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

Signed on the 11th day of April, 2023 at Bismarck, North Dakota.



Rosanne Ogden