

May 8, 2023

HAND DELIVERED

Mr. Steve Kahl
Executive Secretary Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: SCS Carbon Transport LLC
Midwest Carbon Express Project
Case No. PU-22-391**

Dear Mr. Kahl:

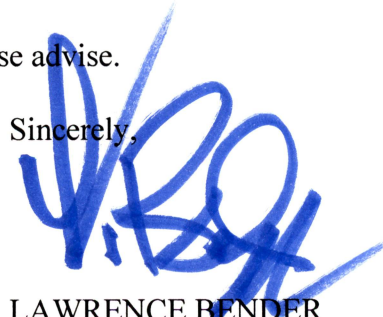
Please find enclosed herewith for filing with the North Dakota Public Service Commission, an original and five (5) copies of the following:

1. Notice of Motion for Admission of Bret A Dublinske – Pro Hac Vice;
2. Motion for Admission of Bret A Dublinske – Pro Hac Vice;
3. Declaration in Support of Motion for Admission of Bret A Dublinske – Pro Hac Vice;
4. [Proposed] Order Granting Admission of Bret A Dublinske – Pro Hac Vice; and
5. Certificate of Service.

Also enclosed herewith, please find a Compact Disc (CD) containing this letter and the above-referenced documents in PDF format.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/tjg
Enclosures

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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Project
Sitting Application**

**CASE NO. PU-22-391
OAH FILE NO. 20230002**

**NOTICE OF MOTION FOR ADMISSION OF
BRET A. DUBLINSKE
*PRO HAC VICE***

[¶ 1] PLEASE TAKE NOTICE that pursuant to Rule 3.2 of the North Dakota Rules of Court and Rule 3 of the North Dakota Rules of Admission to Practice, the undersigned hereby respectfully moves for an Order admitting Bret A. Dublinske, with the firm of Fredrikson & Byron, P.A., to practice on behalf of SCS Carbon Transport LLC for the limited purpose of participating in the above-captioned case.

DATED this 8th day of May, 2023.

FREDRIKSON & BYRON P.A.

By: 

LAWRENCE BENDER, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, North Dakota 58501-1215
Telephone: (701) 221-8700
Facsimile: (701) 221-8750
lbender@fredlaw.com

Attorney for SCS Carbon Transport LLC

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Project
Sitting Application**

**CASE NO. PU-22-391
OAH FILE NO. 20230002**

**MOTION FOR ADMISSION OF
BRET A. DUBLINSKE
*PRO HAC VICE***

[¶ 1] Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, Lawrence Bender, the undersigned, on behalf of Bret A. Dublinske, hereby respectfully moves for an order admitting Bret A. Dublinske, with the firm of Fredrikson & Byron, P.A., located at 111 E. Grand Avenue, Suite 301, Des Moines, Iowa, to practice on behalf of SCS Carbon Transport LLC, for the limited purpose of participating in the above-captioned case. Grounds for this motion, as set forth in the attached Declaration of Bret A. Dublinske, are as follows:

[¶ 2] Bret A. Dublinske has been admitted and is in good standing to appear before the following courts:

- a) Supreme Court of Iowa, 1994;
- b.) U.S. District Court for the Southern District of Iowa, 1996;
- c.) U.S. District Court for the Northern District of Iowa, 1996;
- d.) U.S. Court of Appeals, Eighth Circuit, 1996;
- e.) U.S. District Court for the Eastern District of Wisconsin, 2014; and
- f.) U.S. Supreme Court, 2019.

[¶ 3] Bret A. Dublinske is not presently subject to any public disciplinary proceedings in any jurisdiction.

[¶ 4] Bret A. Dublinske is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.

[¶ 5] Bret A. Dublinske is not and has never been suspended or disbarred from a court in any jurisdiction.

[¶ 6] Bret A. Dublinske has not appeared in another North Dakota State Court proceeding during the last three years.

[¶ 7] Lawrence Bender, with the firm of Fredrikson & Byron, P.A., admitted to practice law in the state of North Dakota, and counsel of record for SCS Carbon Transport LLC in the above-entitled matter, will be associated with Bret A. Dublinske in all phases of this case.

[¶ 8] A copy of this Motion and Declaration is being filed with the North Dakota State Board of Law Examiners. The applicable admission fee was also submitted.

[¶ 9] WHEREFORE, the undersigned respectfully requests admission of Bret A. Dublinske for the special and limited purpose of participating in the above-captioned case on behalf of the Applicant, SCS Carbon Transport LLC, in all phases of the above-described matter.

DATED this 8th day of May, 2023.

FREDRIKSON & BYRON P.A.



By: _____

LAWRENCE BENDER, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, North Dakota 58501-1215
Telephone: (701) 221-8700
Facsimile: (701) 221-8750
lbender@fredlaw.com

Attorney for SCS Carbon Transport LLC

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Project
Sitting Application**

**CASE NO. PU-22-391
OAH FILE NO. 20230002**

**DECLARATION OF BRET A. DUBLINSKE
IN SUPPORT OF ADMISSION
*PRO HAC VICE***

STATE OF IOWA)
) SS
COUNTY OF POLK)

Bret A. Dublinske, deposes and states as follows:

1. I am an attorney with the firm of Fredrikson & Byron, P.A., located at 111 E. Grand Avenue, Suite 301, Des Moines, Iowa, 50309. My telephone number is (515) 242-8904. My email address is bdublinske@fredlaw.com.

2. I have been admitted, and I am in good standing to appear before, the following courts:

- a) Supreme Court of Iowa, 1994;
- b.) U.S. District Court for the Southern District of Iowa, 1996;
- c.) U.S. District Court for the Northern District of Iowa, 1996;
- d.) U.S. Court of Appeals, Eighth Circuit, 1996;
- e.) U.S. District Court for the Eastern District of Wisconsin, 2014; and
- f.) U.S. Supreme Court, 2019.

3. I am not presently, nor have I ever been, subject to a public 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 presently nor, have I ever been, suspended or disbarred from a court in any jurisdiction.

6. Pursuant to Rule 3 of the North Dakota Admission to Practice Rules, I have not appeared in any other North Dakota State Court proceeding during the last three years.

7. Lawrence Bender with the firm of Fredrikson & Byron, P.A., counsel of record for Applicant SCS Carbon Transport LLC in the above-captioned matter, will be associated with me in all phases of this case.

8. The applicable admission fee will be paid to the State Board of Law Examiners.

DATED this 7th day of May, 2023.



Bret A. Dublinske, IA Bar # AT00002232
Fredrikson & Byron, P.A.
111 E. Grand Avenue, Suite 301
Des Moines, IA 50309-1884
Telephone: 515.242.8904
bdublinske@fredlaw.com

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Project
Sitting Application**

CASE NO. PU-22-391

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the following:

1. Letter to S. Kahl forwarding documents for filing;
2. Notice of Motion for Admission of Bret A Dublinske – Pro Hac Vice;
3. Motion for Admission of Bret A Dublinske – Pro Hac Vice;
4. Declaration in Support of Motion for Admission of Bret A Dublinske – Pro
Hac Vice; and
5. [Proposed] Order Granting Admission of Bret A Dublinske – Pro Hac Vice.

were, on May 8, 2023, filed with the North Dakota Public Service Commission and served electronically to the following:

Hope L. Hogan
hlhogan@nd.gov

John Hamre
jghamre@nd.gov

John Schuh
jschuh@nd.gov

Zachary Pelham
zep@pearce-durick.com

Randall J. Bakke
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Bradley N. Wiederholt
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Steven Leibel
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David Knoll
david@bismarck-attorneys.com

Brian E. Jorde
bjorde@dominalaw.com

Kevin Pranis
kpranis@liunagroc.com

Dated this 8th day of May, 2023.

FREDRIKSON & BYRON, P.A.

By: 

Lawrence Bender, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, ND 58501
lbender@fredlaw.com
(701) 221-8700

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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**SCS Carbon Transport LLC
Midwest Carbon Express CO2 Project
Sitting Application**

**CASE NO. PU-22-391
OAH FILE NO. 20230002**

**ORDER GRANTING ADMISSION OF
BRET A. DUBLINSKE
*PRO HAC VICE***

[¶ 1] Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, a motion has been filed seeking the admission *pro hac vice* of Bret A. Dublinske, with the firm of Fredrikson & Byron, P.A., located at 111 E. Grand Avenue, Suite 301, Des Moines, Iowa 50309, to appear and participate in the above captioned matter with Lawrence Bender, Fredrikson & Byron, P.A., 1133 College Drive, Suite 1000, Bismarck, ND 58501.

[¶ 2] The Hearing Examiner, having considered the motion and being fully advised in this matter, finds that Bret A. Dublinkse has complied with all of the provisions of Rule 3, and therefore:

[¶ 3] **IT IS HEREBY ORDERED** that Bret A. Dublinske be and hereby is granted permission to practice before the North Dakota Public Service Commission for the purpose of participating in the above captioned case on behalf of the Applicant.

Hope L. Hogan
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503
Telephone: (701) 328-3200
hlhogan@nd.gov