

# TSCHIDER & SMITH

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Sean O. Smith, Attorney  
David A. Tschider, Attorney  
Amber Smith-Heinert, Attorney  
*Morris A. Tschider (1933-2022)*

Casey Heinert, CPA  
Kate Barone, CPA

May 14, 2024

via hand-delivery

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

Re: Montana-Dakota Utilities Co., Case No. **PU-23-341**

Attached are an original and seven copies of a **Motion for Admission Pro Hac Vice** to allow John B. Coffman to practice before the Public Service Commission in the above referenced matter.

As required by Rule 3(A) of the North Dakota Admission to Practice, a copy of Mr. Coffman's affidavit is attached to the enclosed Motion for Admission Pro Hac Vice, along with a certificate of good standing. A check in the amount of \$380 has been submitted to the North Dakota State Board of Law Examiners to cover Mr. Coffman's status as a visiting attorney for 2024.

Please feel free to contact me with any questions or concerns.

Sincerely,



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David A. Tschider, ID#04224

Attorney at Law  
2005 N. Kavaney Dr., Suite 100  
Bismarck, ND 58502  
701-258-4000

[dtschider@tschider-smithlaw.com](mailto:dtschider@tschider-smithlaw.com)

Counsel for AARP 26 PU-23-341 Filed 05/14/2024 Pages: 8

Motion for Admission Pro Hac Vice - John B. Coffman  
AARP North Dakota  
David Tschider, Attorney

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Montana-Dakota Utilities Co.            )  
2023 Natural Gas Rate Increase        )  
Application                                 )**

**Case No. PU-23-341**

**MOTION FOR ADMISSION PRO HAC VICE**

COMES NOW Dave Tschider, of the firm Tschider & Smith, 418 E. Rosser Ave., Ste. 200, Bismarck, ND 58501-4046, and hereby moves the North Dakota Public Service Commission ("Commission"), pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, for an Order granting the admission of John B. Coffman to appear *pro hac vice* in the above-captioned matter. Grounds for this motion are as follows:

1. John B. Coffman is an attorney with 35 years of experience as an attorney and utility rate expert. He routinely appears and participates in matters before other state public utility commissions, including rate case appearances in Missouri, Illinois, Florida, Georgia, Alabama, New Jersey, Colorado, South Carolina, Arizona, California, Kansas, Alaska, and Minnesota. He is best positioned to represent AARP, with the Commission's permission *pro hac vice*, in this proceeding.
2. John B. Coffman is admitted to practice law in the state of Missouri and is a member in good standing of said bar (MoBar #36591). Attached herewith as Exhibit A is John B. Coffman's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.

3. John B. Coffman is not presently, and has never been, subject to a public disciplinary proceeding.

4. John B. Coffman is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.

5. John B. Coffman is not, and has never been, suspended or disbarred from a court in any jurisdiction.

6. Over the past three years, John B. Coffman has appeared in only three North Dakota administrative proceedings in which he was granted *pro hac vice* status under North Dakota Supreme Court Rule to Admission to Practice 3. All three proceedings were rate cases at the Commission: an Xcel NSP electric rate case (Case No. PU-20-441), an Xcel NSP natural gas rate case (Case No. PU-21-381), and an MDU electric rate case (Case No. PU-22-194).

7. John B. Coffman has concurrently sent a copy of this motion and affidavit to the State Board of Law Examiners.

8. John B. Coffman has remitted to the State Board of Law Examiners the required fee of \$380.00 for *pro hac vice* admission for 2024.

9. John B. Coffman is associated in this matter with David A. Tschider, of the firm Tschider & Smith, 2005 N. Kavaney, Ste. 100, Bismarck, ND 58501, an attorney, who is admitted and licensed to practice law in the State of North Dakota.

10. Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, I respectfully request the Commission issue an Order granting permission for John B. Coffman to practice before the Commission *pro hac vice*.

Respectfully submitted this 14 day of May, 2024.

TSCHIDER and SMITH



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David A. Tschider  
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Bismarck, ND 58502  
701-258-4000  
[dtschider@tschider-smithlaw.com](mailto:dtschider@tschider-smithlaw.com)  
Id# 04224  
Counsel for AARP

Attached: Exhibit A—Affidavit

Exhibit B—Certificate of Good Standing

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.            )  
2023 Natural Gas Rate Increase        )  
Application                                 )

Case No. PU-23-341

AFFIDAVIT IN SUPPORT OF  
MOTION FOR ADMISSION PRO HAC VICE

I, **JOHN B. COFFMAN** being first duly sworn on oath, deposes and says that:

1. I am admitted to practice law in the State of Missouri (MoBar # 36591);
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;
4. I am not now, nor have I ever been, suspended or disbarred from a Court in any jurisdiction;
5. Over the past three years, John B. Coffman has appeared in only three North Dakota administrative proceedings in which he was granted *pro hac vice* status under North Dakota Supreme Court Rule to Admission to Practice 3. All three proceedings were specialized utility rate cases at the North Dakota Public Service

**Exhibit A**

Commission: an Xcel NSP electric rate case (Case No. PU-20-441), an Xcel NSP natural gas rate case (Case No. PU-21-381), and an MDU electric rate case (Case No. PU-22-194).

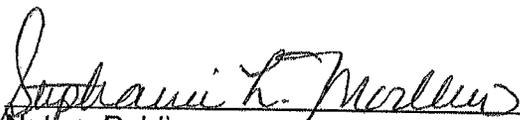
Dated this 9<sup>th</sup> day of May, 2024.

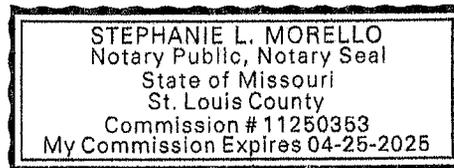
STATE OF MISSOURI            )  
  ) ss.  
COUNTY OF ST. LOUIS        )

I, John B. Coffman, hereby affirm that I have knowledge of the contents of the foregoing verified **AFFIDAVIT IN SUPPORT OF MOTION FOR ADMISSION PRO HAC VICE** and it is true and accurate to the best of my Knowledge.

  
\_\_\_\_\_  
John B. Coffman  
Attorney for AARP

Subscribed and sworn to before me this 9<sup>th</sup> day of May, 2024.

  
\_\_\_\_\_  
Notary Public



**Exhibit A**

*The Supreme Court of Missouri*



*Certificate of Admission as an  
Attorney at Law*

I, Betsy AuBuchon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on 10/13/1989,

*John Bruce Coffman*

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 3<sup>rd</sup> day of May, 2024.

A handwritten signature in black ink that reads "Betsy AuBuchon".

Clerk of the Supreme Court of Missouri

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Montana-Dakota Utilities Co.            )  
2023 Natural Gas Rate Increase        )  
Application                                    )**

**Case No. PU-23-341**

**CERTIFICATE OF SERVICE**

I hereby certify that the original and seven (7) copies of the Motion for Admission Pro Hac Vice; Affidavit in Support of Motion for Admission Pro Hac Vice, Certificate of Good Standing and Certificate of Service foregoing was hand delivered/mailed/emailed, on this 14<sup>th</sup> day of May, 2024 to the following:

Executive Secretary Public Service Commission  
600 East Boulevard Avenue, Dept. 480  
Bismarck, ND 58505-0480  
[ndpsc@nd.gov](mailto:ndpsc@nd.gov)

Office of the Administrative Law Judge  
2911 North 14th Street, Suite 303  
Bismarck ND 58503

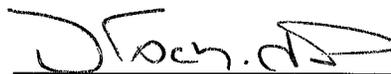
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David A. Tschider