

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

In the Matter of the Appeal)
Of the Revocation of)
Permit No. CT-1352B)
Two Elk Power Plant)

Docket No. 07-2601

FEB 05 2008

Terri A. Lorenzon, Director
Environmental Quality Council

MOTION FOR ADMISSION *PRO HAC VICE*

COME NOW, Mary A. Throne, John A. Coppede, counsel for Two Elk Generation Partners (TEGP), and hereby moves the Council for an order, pursuant to Wyo. Stat. 33-5-111 and U.R.D.C. 104, for the Admission *Pro Hac Vice* of Michael Theis of Hogan & Hartson LLP, One Tabor Center, Suite 1500, 1200 Seventeenth Street, Denver, Colorado 80202, for the purpose of representing TEGP in this matter. As grounds and reasons for said motion, the Movants state:

1. Movants, Mary A. Throne and John A. Coppede, are current licensed members of the Wyoming State Bar in good standing.
2. Movants vouch for the good moral character and veracity of Michael Theis, the attorney who seeks admission *Pro Hac Vice*.
3. Michael Theis has been a member in good standing of the bar of the state of Colorado since 1987, and is admitted to practice in all state trial and appellate courts in the state of Colorado, the U.S. District Court for the District of Colorado, and the Tenth Circuit Court of Appeals.
4. A copy of the Affidavit of Michael Theis is attached hereto and incorporated herein by this reference.

5. Mr. Theis has associated with the movants and the firm of Hickey & Evans, LLP, for the purpose of acting as local counsel on behalf of TEGP in the above-captioned matter.

6. The applicant will be associated with the undersigned counsel, who will remain fully prepared to represent TEGP at any time and in any capacity and will participate completely in the preparation and argument of this case.

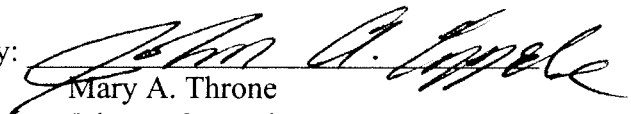
7. The movants have filed with the Council an Entry of Appearance on behalf of TEGP in the above-captioned matter.

WHEREFORE, the undersigned counsel respectfully requests that the Council enter an order admitting Michael Theis *Pro Hac Vice* for the purposes of representing TEGP in the above-captioned matter and for further and other relief as the Council may deem just and proper in the premises.

Dated this 5 day of February 2008.

TWO ELK GENERATION PARTNERS

By:



Mary A. Throne
John A. Coppede
Hickey & Evans, LLP
1800 Carey Avenue, Suite 700
Cheyenne, WY 82001
Ph. (307) 634-1525
Fx. (307) 638-7335

CERTIFICATE OF SERVICE

I, John A. Coppede, hereby certify that a true copy of the Motion for *Pro Hac Vice* was served upon the Parties in this matter, pursuant to the Wyoming Rules of Civil Procedure this 5 day of February 2008, and that copies were served as follows:

Reed Zars
Attorney at Law
910 Kearney Street
Laramie, WY 82070

U.S. Mail, First Class, Postage Prepaid
 FEDEX, Overnight
 Fax: (307) 745-7999
 Hand Delivery

Richard C. Moore, Chairman
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Cheyenne, WY 82002

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John Corra, Director
DEQ
Herschler Building, 2nd Floor East
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Cheyenne, WY 82002

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 Hand Delivery

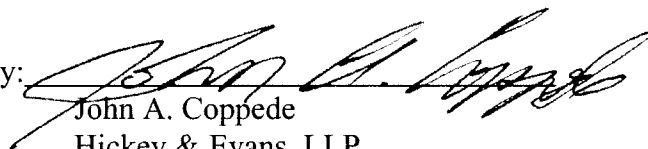
David Finley, Administrator
DEQ Air Quality Division
Herschler Building, 2nd Floor East
122 West 25th Street
Cheyenne, WY 82002

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Nancy Vehr, Asst Atty General
Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002

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By:


John A. Coppede
Hickey & Evans, LLP

Mary A. Throne, Esq.
 John A. Coppede, Esq.
 Hickey & Evans, LLP
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 PO Box 467
 Cheyenne, WY 82003-0467
 Ph: (307) 634-1525
 Fx: (307) 638-7335
 Attorneys for Intervenor TEGP

STATE OF WYOMING)
)
 COUNTY OF LARAMIE) **IN THE DISTRICT COURT**
)
) **FIRST JUDICIAL DISTRICT**

SIERRA CLUB and POWDER RIVER)
 BASIN RESOURCE COUNCIL,)
)
 Petitioners,)
)
 v.)
)
 WYOMING ENVIRONMENTAL)
 QUALITY COUNCIL,)
)
 Respondent.)

Docket No. 171-41

AFFIDAVIT OF MICHAEL THEIS

Michael Theis, being first duly sworn upon his oath, deposes and states as follows:

1. I am a partner in the law firm of Hogan & Hartson LLP, One Tabor Center, Suite 1500, 1200 Seventeenth Street, Denver, Colorado 80202, Phone (303) 899-7300, Fax (303) 899-7333.
2. I have been admitted to practice law in the state of Colorado since 1987. I am admitted to practice law in all state trial and appellate courts in the state of Colorado, the U.S. District Court for the District of Colorado, and the United States Tenth Circuit Court of Appeals.
3. I am associated with attorneys Mary A. Throne and John A. Coppede of the firm of Hickey & Evans, LLP, P.O. Box 467, Cheyenne, Wyoming 82003-0467, in connection with the above-captioned litigation. I acknowledge that Ms. Throne and Mr. Coppede, as local counsel, shall be fully prepared to represent Two Elk Generation Partners (TEGP) at any time and in any capacity.
4. I have not been the subject of any disciplinary action by the Bar or courts of the

state of Colorado or of any other state within the last seven years.

5. I have not been denied admission to the courts of any state or of any federal court in the last seven years.

6. I affirm that I will comply with and be bound by the rules of the state of Wyoming, District Court, First Judicial District, Laramie County.

7. I acknowledge that I am submitting to disciplinary jurisdiction of the above-captioned Court and I am subject to disciplinary jurisdiction of the Court for any misconduct arising in the course of preparation and representation in the above-captioned proceeding.

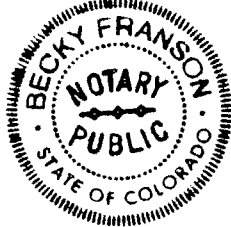
FURTHER AFFLIANT SAYETH NOT.

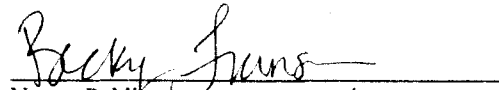
Dated this 22^d day of January 2008.


Michael Theis

State of Colorado)
)ss.
County of Denver)

Subscribed and sworn to before me this 22nd day of January 2008 by Michael Theis.




Notary Public
My commission expires: 9/7/09