BEFORE THE ENVIRONMENTAL QUALITY COUNCIL **FILED** STATE OF WYOMING

Sierra Club and PRBRC Appeal of DEQ) Construction Continuance and Commencement) Determinations, and Permit Deadline Extensions) Re: Two Elk Power Plant)

Docket No. 07-2807erri A. Lorenzon, Director Environmental Quality Council

FEB 0 5 2008

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 Council 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.

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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 <u>day of February 2008</u>.

TWO ELK GENERATION PARTNERS

1. Jappe C 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



J U.S. Mail, First Class, Postage PrepaidJ Hand Delivery

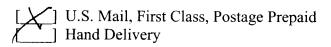
U.S. Mail, First Class, Postage Prepaid Hand Delivery

Richard C. Moore, Chairman Environmental Quality Council Herschler Building, Room 1714 122 West 25th Street Cheyenne, WY 82002

John Corra, Director DEQ Herschler Building, 2nd Floor East 122 West 25th Street Cheyenne, WY 82002

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

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





U.S. Mail, First Class, Postage Prepaid Hand Delivery

male John A. Coppede

Hickey & Evans, LLP

Mary A. Throne, Esq. John A. Coppede, Esq. Hickey & Evans, LLP 1800 Carey Ave, Ste 700 PO Box 467 Cheyenne, WY 82003-0467 Ph: (307) 634-1525 Fx: (307) 638-7335 Attorneys for Intervenor TEGP			
STATE OF WYOMING)		IN THE DISTRICT COURT
COUNTY OF LARAMIE)		FIRST JUDICIAL DISTRICT
SIERRA CLUB and POWDER RIV BASIN RESOURCE COUNCIL,	ER))	Docket No. 171-41
Petitioners,)	
ν.)	
WYOMING ENVIRONMENTAL QUALITY COUNCIL,)))	
Respondent.)	

AFFIDAVIT OF MICHAEL THEIS

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

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.

 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 abovecaptioned 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 AFFIANT SAYETH NOT.

Dated this <u>Id</u> day of January 2008.

Muun Michael Theis

State of Colorado))ss. County of Denver)

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



Notary Public My commission expires: <u>9/7/09</u>