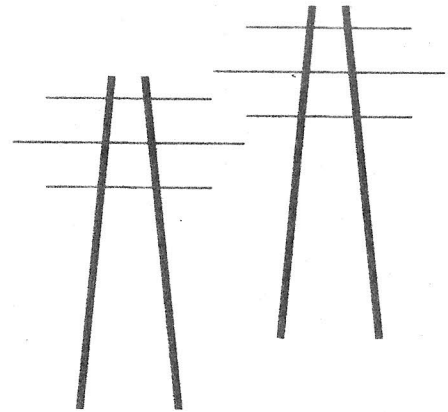


Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant--Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638

P.O. Box 69
Port Penn, Delaware 19731
302.834.3466



September 7, 2012

Judge Amy Smith
4th Branch
Dane County Circuit Court
215 S Hamilton St.
Madison, WI 53703


RE: NoCapX 2020 & Citizens Energy Task Force Response to PSC's Motions
In the Matter of the Application for a Route Permit for the CapX 2020 Hampton-
Alma-LaCrosse High Voltage Transmission Lines
Court File: 12-CV-3328
Wisconsin PSC Docket 05-CE-136

Dear Judge Smith:

Thank you for your letter of August 31, 2012 disclosing prior employment with the Wisconsin DNR, and the opportunity to address any issues we may have. My clients also see no reason for recusal at this time.

Enclosed for filing, please find NoCapX 2020 and Citizens Energy Task Force's response to the Motions of the Public Service Commission.

Very truly yours,


Carol A. Overland
Attorney at Law

cc: Justin Chasco and Diane Ramthun, Public Service Commission
Lisa Agrimonti and Valerie Herring, Briggs & Morgan, for Xcel Energy

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 4

DANE COUNTY

NO CAPX 2020 and
CITIZENS ENERGY TASK FORCE,

Petitioners,

v.

Case No. 12-CV-3328

PUBLIC SERVICE COMMISSION
OF WISCONSIN,

Respondent.

CERTIFICATE OF SERVICE

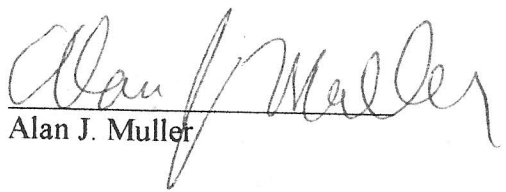
I hereby certify that on the 7th day of September, 2012, I mailed the Originals to the Circuit Court, 4th Branch, and mailed a true and correct copy of the Originals:

1. Cover Letter, and
2. Response to Motion to Strike and Dismiss and Objection to Petitioners' Request for Pro Hac Vice Admission;

via U.S. First Class Mail to parties filing Notice of Appearance as of this date:

Public Service Commission
Justin W. Chasco
Diane Ramthun
610 N. Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

Xcel Energy
Lisa Agrimonti
Valerie Herring
Briggs & Morgan, P.A.
2200 IDS Center
80 So. 8th St.
Mpls., MN 55402


Alan J. Mullet

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 4

DANE COUNTY

NO CAPX 2020 and
CITIZENS ENERGY TASK FORCE,

Petitioners,

v.

Case No. 12-CV-3328

PUBLIC SERVICE COMMISSION
OF WISCONSIN,

Respondent.

CERTIFICATE OF SERVICE

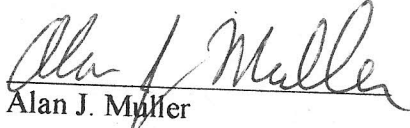
I hereby certify that on the 7th day of September, 2012, I mailed the Originals to the Circuit Court, 4th Branch, and mailed a true and correct copy of the Originals:

1. Cover Letter, and
2. Response to Motion to Strike and Dismiss and Objection to Petitioners' Request for Pro Hac Vice Admission;

via U.S. First Class Mail to parties filing Notice of Appearance as of this date, in addition to the Public Service Commission of Wisconsin and Xcel Energy:

Dairyland Power Cooperative
Jeffrey Landsman
Wheeler, Van Sickle and Anderson, S.C.
25 West Main Street, Suite 800
Madison, WI 53703

WPPI Energy
Thomas Hanrahan
1425 Corporate Center Drive
Sun Prairie, WI 53590-9109


Alan J. Muller

**NO CAPX 2020 and
CITIZENS ENERGY TASK FORCE,**

Petitioners,

vs.

Case No. 12-CV-3328

**PUBLIC SERVICE COMMISSION
OF WISCONSIN**

Respondent.

**RESPONSE TO MOTION TO STRIKE AND DISMISS, RESPONSE TO OBJECTION
TO PETITION FOR PRO HAC VICE ADMISSION, AND REQUEST FOR ORDER**

Petitioners NoCapX 2020 (“No CapX”) and Citizens Energy Task Force (“CETF”) hereby make this Response to Public Service Commission’s Motion to Strike and Dismiss and Objection to Petitioners’ Request for Pro Hac Vice Admission. PSC Counsel misstates the rules governing practice before the Public Service Commission and the Circuit Court in subsequent proceedings and omits the applicable rule. As provided by the Rules, the Administrative Law Judge allowed appearance and participation before the Commission, without association with Wisconsin counsel, and under the rule, this privilege extends to subsequent Circuit Court and Appellate proceedings. SCR 10.03(4)(b) and SCR 10.03(4)(d).

No CapX and CETF request express acknowledgment of the Public Service Commission Administrative Law Judge’s approval of appearance and participation by Carol A. Overland, representing NoCapX 2020 and Citizens Energy Task Force in the above-captioned PSC Docket 05-CE-136, and request a specific Order that Carol A. Overland may continue to appear and

participate through subsequent appellate or circuit court actions or proceedings in the above-captioned matter, without association with Wisconsin counsel and provided in SCR 10.03(4)(b) and SCR 10.03(4)(d).

I. RESPONSE TO MOTION TO STRIKE AND DISMISS

Public Service Commission seeks to dismiss Petitioner's Petition for Judicial Review because it claims Petitioner NoCapX 2020 has not stated facts sufficient to show Petitioner is "a person aggrieved by the decision sought to be reviewed." Motion, p. 2; *see also* Wis. Stat. §227.56(3). Xcel Energy has made a similar statement in its recently-filed position. The above-captioned Petition was brought by two Intervenors to the proceeding, both NoCapX 2020 and Citizens Energy Task Force. Regarding No CapX 2020, NoCapX was deemed by the Administrative Law Judge of the Public Service Commission to be a sufficiently aggrieved party to be granted intervention as a full party in the proceeding before the Public Service Commission. As a formal Intervenor, No CapX 2020 has standing to bring this Petition for Judicial Review.

Dismissal of NoCapX 2020 is not sufficient to dismiss the Petition for Judicial Review – even if the Petition of NoCapX 2020 were to be dismissed, the Petition by Citizens Energy Task Force remains.

II. RESPONSE TO OBJECTION TO ADMISSION PRO HAC VICE

NoCapX 2020 and Citizens Energy Task Force strenuously object to the PSC's Motion regarding the appearance and participation of Attorney Carol A. Overland in this proceeding. This is not a typical "lawsuit" at the Circuit Court – this is a Petition for Judicial Review of a Public Service Commission Public Convenience and Necessity Order, a narrow matter based exclusively on the record developed at the Public Service Commission, and no more. The

PSC's Motion is without basis in Wisconsin statutes or rules and is an abuse of process, because Counsel for the Public Service Commission misstate and misuse Wisconsin law regarding participation before the Public Service Commission, and fail to acknowledge the open door for appearance and participation in administrative proceedings.

Commission Counsel's objection to appearance and participation in judicial review at the Circuit Court by NoCapX and CETF counsel is another unfounded attempt to limit public participation in this docket and prohibit challenge to the Commission's decision. Counsel for Public Service Commission initially had objected to appearance and participation of NoCapX 2020 and Citizens Energy Task Force counsel at the time of their intervention at the Public Service Commission, over one year ago. This first became an issue in July 2011, when PSC Counsel Diane Ramthun telephoned Ms. Overland and left a message to consult the Commission rules and Wisconsin statutes and rules regarding licensure and practice, inferring unauthorized practice of law. Affidavit of Overland. In a subsequent return phone call with Ms. Ranthum, she opined that Overland, not licensed in Wisconsin, could not practice before the Commission. Affidavit of Overland. This is contrary to Wisconsin statutes and rules and was regarded as an attempt to threaten, intimidate and otherwise hamper NoCapX and CETF's ability to participate in this proceeding at the Commission represented by counsel. Affidavit of Overland. Based on prior appearances before the Commission in other dockets, and review of Wisconsin law, Overland consulted with Commission staff, and confirmed staff's view that Wisconsin licensure was not necessary to appear and participate before the Commission representing a party. Affidavit of Overland. However, because of the PSC counsel's telephone call, the significant divergence of PSC counsel's opinion from Wisconsin SCR 10.03(4)(b) and SCR 10.03(4)(d), PSC staff's opinion and Overland's experience at PSC, a Petition for Order Allowing

Appearance and Participation was filed by Overland. Affidavit of Overland, Exhibit 1, ERF PSC REF# 151094; see also SCR 10.03(4)(d). The ALJ was consulted by PSC staff, and Overland was told that the ALJ stated such an order was not necessary. Affidavit of Overland. At the Prehearing Conference, months after considering Overland's Pro Hac Vice request and determining that a formal order was not necessary, the ALJ did in fact allow Overland to appear and participate representing NoCapX and CETF, at the Prehearing Conference and throughout the proceedings in this docket. This tacit approval to appear and participate is a matter of record. Affidavit of Overland; see also PSC record for evidence of appearance and participation.

The rules governing State Bar Regulation state:

If representing a party before an agency of this state is limited to lawyers, an administrative law judge or hearing examiner for a state agency may, using the same standards and procedures as a court, allow a nonresident counsel who has been retained to appear in a particular agency proceeding to appear and participate in that proceeding without being in association with an active member of the state bar of Wisconsin.

SCR 10.03(4)(d). Representing a party before the PSC is not limited to lawyers licensed in the state of Wisconsin. Association with an attorney in Wisconsin is not necessary. The Administrative Law Judge in this proceeding did allow nonresident counsel Carol A. Overland, retained by NoCapX 2020 and CETF, to appear and participate before the PSC, without being in association with an active member of the state bar of Wisconsin.

This is not the first time that Public Service Commission counsel has, without basis, objected to appearance and participation by Overland. Specifically, on or about July 13, 2011, early in the Commission proceeding, Overland received a phone call from PSC Counsel Diane Ramthun requesting review of Wisconsin statutes and rules regarding practice of law and inferring Overland was engaged in unauthorized practice of law. See Affidavit of Overland. Based upon that phone message and subsequent phone call, and the message implied by Ms.

Ramthun that Overland was violating Wisconsin law in representing parties before the Commission, a Petition for Order Allowing Appearance and Participation was filed. Affidavit of Overland, Exhibit 1, ERF PSC REF# 151094. At that time, PSC Counsel Ramthun raised no objection to the filing. PSC Record. The ALJ did not act on it, deeming such an order unnecessary, that practice before the Commission was a matter of course, per Commission staff. Affidavit of Overland. Overland then appeared at the Prehearing Conference, where the ALJ tacitly approved of Overland's appearance and participation as counsel for NoCapX and CETF, without association with Wisconsin licensed counsel, as provided by rule. PSC Counsel Ramthun was present and raised no objection to ALJ Newmark regarding the appearance and participation of Overland. Overland subsequently represented NoCapX and CETF through the proceeding and request for rehearing. At no time during the hearing did PSC Counsel Ramthun raise any objection to appearance of Overland. Affidavit of Overland, see also PSC Record.

State Bar Regulation also provides for subsequent appearance and participation in related proceedings at the circuit court:

An order granting nonresident counsel permission to appear and participate in an action or proceeding shall continue through subsequent appellate or circuit court actions or proceedings in the same matter, provided that nonresident counsel files a notice of the order granting permission with the court handling the subsequent appellate or circuit court action or proceeding.

SCR 10.03(4)(b). Recognizing the words "[a]n order" in this rule, and that there was no written Order allowing appearance and participation, counsel provided a copy of the filing with the Commission, and requested notification if anything further was required in the eyes of the court.

Overland's appearance before the Commission is documented throughout the Commission's record, a tacit defacto Order by the Administrative Law Judge. Commission counsel's attempt to prohibit NoCapX and CETF counsel from appearing and participating in

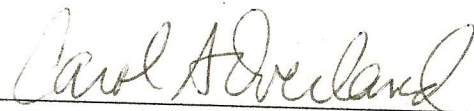
this subsequent judicial review of the PSC's Order at the Circuit Court is unfounded and is another attempt to improperly limit appearance, participation and the rights of NoCapX and CETF to due process under Wisconsin law in this administrative proceeding. NoCapX and CETF request that the Circuit Court clarify and specifically approve Overland's appearance and participation in this matter as counsel for NoCapX and CETF.

III. **REQUEST FOR ORDER ALLOWING APPEARANCE AND PARTICIPATION**

Petitioners No CapX 2020 and Citizens Energy Task Force request from the Circuit Court:

1. An Order acknowledging the Administrative Law Judge approval of Public Service Commission appearance and participation by Carol A. Overland, representing NoCapX 2020 and Citizens Energy Task Force in the above-captioned PSC Docket 05-CE-136, and Ordering that Carol A. Overland may continue to appear and participate, as provided by SCR 10.03(4)(b), through subsequent appellate or circuit court actions or proceedings in the above-captioned Petition for Judicial Review of this administrative matter, without association with Wisconsin counsel.
2. Such other relief as the Court may deem just and equitable.

Dated: September 7, 2012



Carol A. Overland, MN Lic. #254617
Attorney at Law
Appearing and Participating for NoCapX
2020 and Citizens Energy Task Force
Legalelectric.org
1110 West Ave
Red Wing, MN 55066
(612) 227-8638
overland@legalelectric.org

NO CAPX 2020 and
CITIZENS ENERGY TASK FORCE,

Petitioners,

vs.

Case No. 12-CV-3328

PUBLIC SERVICE COMMISSION
OF WISCONSIN

Respondent.

AFFIDAVIT OF CAROL A. OVERLAND

STATE OF MINNESOTA)
) ss.
COUNTY OF GOODHUE)

Carol A. Overland, after being duly sworn on oath, states and deposes as follows:

1. I am an attorney licensed in good standing to practice in the State of Minnesota, license number 254617. I am not licensed to practice in Wisconsin.
2. I have practiced in a Circuit Court in Wisconsin on a Pro Hac Vice basis once, over a decade ago.
3. I have practiced before the Public Service Commission in hearings before an Administrative Law Judge previously in the Arrowhead Transmission Project, PSC docket 05-CE-113, and the Chisago Transmission Project, dockets 1515-CE-102 and 4220-CE-155, as allowed under SCR 10.03(4)(b) and SCR 10.03(4)(d).
4. In mid-July, 2011, PSC Counsel Diane Ramthun left a voice mail message for me stating that I should review Commission Rules and Wisconsin statutes and rules regarding licensure and practice because I was not licensed in Wisconsin, and requested that I contact her about this.
5. Shortly thereafter, I reached her by phone at which time she reiterated that I was not licensed in Wisconsin and could not practice before the Commission. I stated that the rules did allow a person not licensed in Wisconsin to practice before the Commission,

and that I had done just that previously, and she against stated this was not the case, that I was not authorized to practice in Wisconsin.

6. I had reviewed the Wisconsin requirements for practicing generally in Wisconsin, and specifically before the PSC, specifically, SCR 10.03, and saw no basis for Ms. Ramthun's statements, then or now. I regarded Ms. Ramthun's statements as an attempt to intimidate, harass, or otherwise act to prevent Overland from appearing.
7. Because Ms. Ramthun was making statements contrary to SCR 10.03, I was concerned that she would attempt to block my participation in the PSC's CapX 2020 Hampton-La Crosse docket. I filed a Request for Pro Hac Vice Appearance and Participation Without Association, as provided by the rules, in the PSC docket. See Attached Exhibit 1.
8. Time passed, and no Order was forthcoming. I contacted PSC Staff Bill Fannucchi about my Request, and he found it odd that I'd filed the Request because it was not necessary to be licensed in Wisconsin to practice before the Commission. I agreed with his assessment, and explained the telephone message and conversation with Ms. Ramthun.
9. Because I wanted some certainty, and did not want this licensure issue to become a problem mid-hearing, I asked Mr. Fannucchi if he would check on the status of the Order, and he got back to me stating that ALJ Newmark saw no need for an Order, that I would be allowed to appear and participate without association with Wisconsin counsel, as provided for in the rules.
10. While there is no express Order for appearance and participation, the ALJ's approval of my appearance and participation before the Commission at the Hearing is evidenced in the record, from the December prehearing conference, to voluminous discovery, to the hearing itself. PSC Counsel Ramthun was present and raised no objection.
11. I received tacit approval from Judge Newmark authorizing appearance and participation before the Public Service Commission (SCR 10.03(4)(d)), and that approval for appearance extends to these subsequent proceedings in Circuit Court and the Court of Appeals (SCF 10.03(4)(b)).
12. Because the ALJ did not issue a written Order regarding appearance and participation, I provided a copy of the Request filed with the PSC to the Circuit Court and a proposed Order if this Court preferred express approval. I noted in the cover letter with the NoCapX and CETF Petition that if there is another way that the Circuit Court would handle it, to notify me and I would provide the documentation necessary to facilitate this limited appearance participation in this subsequent matter.

Further your affiant sayeth naught.

Patti Killian 9/7/12

Carol Overland

Carol A. Overland

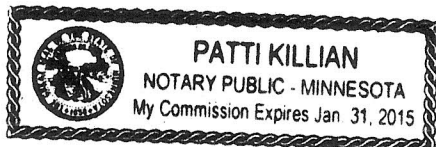


Exhibit 1

Petition for Order Allowing Appearance and Participation

July 22, 2011

Public Service Commission ERF Filed #151094 7/22/11 11:49:57 AM

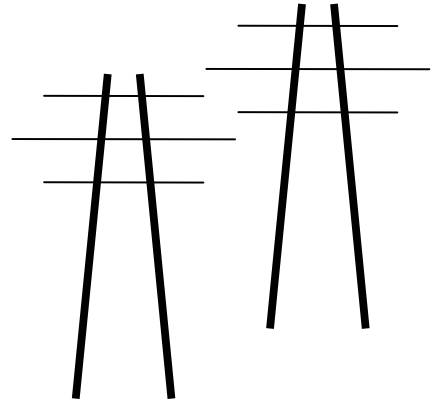
Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617

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Port Penn, Delaware 19731
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July 22, 2011

Sandra Paske
Secretary to the Commission
Public Service Commission of Wisconsin
610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

Michael E. Newmark
Administrative Law Judge
Public Service Commission of WI
610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

RE: Petition for Order Allowing Appearance and Participation
In the Matter of the Application for a Route Permit for the CapX 2020 Hampton-Alma-
LaCrosse High Voltage Transmission Lines
Wisconsin PSC Docket 05-CE-136

Dear Ms. Paske and Judge Newmark:

Please note change of address to 1110 West Avenue, Red Wing, MN 55066.

Enclosed please find Petition of Daniel Hannula for Order Allowing Appearance and Participation, and in the alternative, Order for Appearance Pro Hac Vice, Declaration of Carol A. Overland, and Proposed Order .

A review of the rules clearly states that Pro Hac Vice is not necessary to appear before the Commission, but due to a phone call received last week from staff, and staff statements years ago regarding Wisconsin licensure, I am filing this formal request to assure compliance with PSC and Wisconsin Supreme Court Rules.

Thank you for your consideration.

Very truly yours,

Carol A. Overland
Attorney at Law

cc: Electronic Service List recipients

PUBLIC SERVICE COMMISSION OF WISCONSIN

Joint Application of Dairyland Power Cooperative,
Northern States Power Company-Wisconsin, and
Wisconsin Public Power, Inc. , for Authority to
Construct and Place in Service 345kV Electric
Transmission Lines and Electric Substation Facilities
]for the CapX Twin Cities-Rochester-LaCrosse
Project, Located in Buffalo, Trempealeau, and
LaCrosse Counties, Wisconsin

05-CE-136

**Petition for Order Allowing Appearance and Participation
or
Order for Appearance Pro Hac Vice**

1. The Petitioner is Daniel D. Hannula, Attorney at Law, of Hannula & Halom, with offices at 515 Belknap Street, Superior, Wisconsin, 54880, and licensed to practice law in Wisconsin, Wisconsin Attorney License Number 1015864.
2. Petitioner is partner in firm practicing in the areas of condemnation and eminent domain with approximately twenty-nine years of condemnation experience. Petitioner has represented both condemners and condemnees. Throughout the 1980's Petitioner was the primary outside condemnation litigation attorney for the Wisconsin Department of Transportation in District 10 (Northwest Wisconsin). Petitioner was the landowners' counsel in *Miesen vs. State Department of Transportation*, 226 Wis.2d 298, 594 N.W.2d 821 (Wis. App. 1999), which clarified the rights of landowners in condemnation.
3. Petitioner is familiar on a professional basis with Carol A. Overland, Overland Law Office and Legalectric, 1110 West Avenue (formerly P.O. Box 176), Red Wing, MN 55066.

4. Petitioner is aware that Ms. Overland has been licensed to practice law in the state of Minnesota since 1995, is licensed in good standing, and is assigned Minnesota Attorney Registration No. 254617.
5. Petitioner affirms that Ms. Overland is competent and experienced in the area of utility regulatory law, specifically administrative proceedings regarding electric transmission lines, coal gasification and gas power plants and nuclear waste.
6. Petitioner is of the opinion that Ms. Overland is perfectly capable of handling this matter to conclusion.
7. To assure compliance with SCR 10.03 (4), Petitioner requests the administrative law judge Order that non-resident counsel Carol A. Overland be allowed to appear and participate without association with Wisconsin licensed counsel, as provided by SCR 10.03(4)(d), or in the alternative, to be admitted Pro Hac Vice as provided by SCR 10.03 (4)(b), so that she may represent intervenors before the Public Service Commission in the above-captioned matter to its conclusion, including but not limited to participating in Prehearing Conferences, Information Requests, filing and arguing motions, filing witness testimony, participating in the evidentiary hearing, and filing post-hearing briefs.

Respectfully Submitted:

July 21, 2011



Daniel D. Hannula, Bar No. 1015864
Attorney at Law
Hannula & Halom
515 Belknap Street
Superior, Wisconsin, 54880
(800) 477-7056
dan@hannulahalom.com

PUBLIC SERVICE COMMISSION OF WISCONSIN

Joint Application of Dairyland Power Cooperative,
Northern States Power Company-Wisconsin, and
Wisconsin Public Power, Inc. , for Authority to
Construct and Place in Service 345kV Electric
Transmission Lines and Electric Substation Facilities
for the CapX Twin Cities-Rochester-LaCrosse
Project, Located in Buffalo, Trempealeau, and
LaCrosse Counties, Wisconsin

05-CE-136

I DECLARE UNDER PENALTY OF PERJURY:

1. That I am Carol A. Overland, Attorney at Law, Overland Law Office and Legalectric, 1110 West Avenue (formerly P.O. Box 176), Red Wing, MN 55066. I seek to appear and participate before the Public Service Commission and its administrative law judge as provided by SCR 10.03 (4)(d), or if deemed necessary, to appear pro hac vice in order to represent NoCapX 2020 in the above-captioned matter:
2. That I am admitted to practice law in the highest court of the state of Minnesota, Minnesota License No. 254617.
3. That there are no disciplinary complaints filed against me for violation of the rules of those courts;
4. That I am not suspended or disbarred from practice for disciplinary reasons or reason of medical incapacity in any jurisdiction;
5. That if pro hac vice admission is deemed necessary, I am associated with Daniel D. Hannula, Attorney at Law, of Hannula & Halom, with offices at 515 Belknap Street, Superior, Wisconsin, 54880, and licensed to practice law in Wisconsin, Wisconsin Attorney License Number 1015864.
6. That I do not practice or hold out to practice law in the State of Wisconsin.
7. That I acknowledge the jurisdiction of the courts of the State of Wisconsin over my professional conduct, and I agree to abide by the rules of the Public Service Commission of the State of Wisconsin and the Wisconsin Court of Appeals and the Rules of Professional Conduct for Attorneys, if I am admitted pro hac vice;
8. That I have complied fully with SCR Rule 10.03 (4);
9. That I am requesting an Order allowing me to appear and participate in the above-captioned proceeding as provided by SCR 10.03(4)(d), or in the alternative, an Order of

admission pro hac vice as provided by SCR 10.03(4)(b), to represent intervenors before the Public Service Commission in the above-captioned matter to its conclusion, including but not limited to participating in Prehearing Conferences, Information Requests, filing and arguing motions, filing witness testimony, participating in the evidentiary hearing, and filing post-hearing briefs.

I have appeared and participated before the Public Service Commission in the Arrowhead Project transmission docket (05-CE-113), and in the Chisago Project transmission docket (1515-CE-102 and 4220-CE-155) for a limited time in 2002, both without the necessity of pro hac vice admission.

I have been admitted pro hac vice in the courts of the State of Wisconsin only once before, in Forest County in 1997, and have not applied since, nor have I applied previously in this calendar year.

If Pro Hac Vice is deemed necessary, I will immediately forward my payment of the pro hac vice fee to the Office of Lawyer Regulation.



Dated: July 22, 2011

Carol A. Overland, MN Lic. #254617
Attorney at Law
Legalelectric.org
1110 West Ave (formerly P.O.Box 176)
Red Wing, MN 55066
(612) 227-8638
overland@legalelectric.org

PUBLIC SERVICE COMMISSION OF WISCONSIN

Joint Application of Dairyland Power Cooperative,
Northern States Power Company-Wisconsin, and
Wisconsin Public Power, Inc. , for Authority to
Construct and Place in Service 345kV Electric
Transmission Lines and Electric Substation Facilities
for the CapX Twin Cities-Rochester-LaCrosse
Project, Located in Buffalo, Trempealeau, and
LaCrosse Counties, Wisconsin

05-CE-136

ORDER WITH RESPECT TO PETITION FOR AGENCY APPEARANCE

This Order, pursuant to SCR 10.03 (4)(d), authorizes Carol A. Overland, non-resident counsel retained in the above-captioned proceeding, to appear and participate in this agency proceeding without being in association with an active member of the state bar of Wisconsin.

Dated: _____

Michael E. Newmark
Administrative Law Judge