

ORIGINAL



0000166987

1 Sonia Overholser (012295)
2 U.S. Department of the Interior, Office of the Solicitor
3 Office of the Phoenix Field Solicitor
4 Sandra Day O'Conner Federal Courthouse, Suite 404
5 401 West Washington, SPC #44
6 Phoenix, Arizona 85003
7 (602) 364-7888
8 sonia.overholser@sol.doi.gov

RECEIVED

2015 DEC -4 P 12: 01

AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

9 SUSAN BITTER SMITH – Chairman
10 BOB STUMP
11 BOB BURNS
12 DOUG LITTLE
13 TOM FORESE

Arizona Corporation Commission

DOCKETED

DEC 4 2015

DOCKETED BY

13 IN THE MATTER OF THE APPLICATION
14 OF THE UNITED STATES DEPARTMENT
15 OF THE INTERIOR/BUREAU OF INDIAN
16 AFFAIRS TO REPLACE AN EXISTING AT-
17 GRADE CROSSING OF THE BNSF
18 RAILWAY AND TO CONSTRUCT A FOUR
19 SPAN BRIDGE OVER THE BNSF
20 RAILWAY TRACKS AND THE RIO
21 PUERCO RIVER IN NAVAJO, APACHE
22 COUNTY, ARIZONA, USDOT NO. 025011J.

Docket No. RR-02635B-15-0300

**MOTION TO ASSOCIATE COUNSEL
PRO HAC VICE**

19 Sonia Overholser, pursuant to Rule 38(a), Ariz. R. Sup. Ct., moves the Arizona
20 Corporation Commission (“Commission”) to associate Evan Blackstone, attorney for the U.S.
21 Department of the Interior, Office of the Solicitor, Southwest Region, as counsel pro hac vice
22 in this action. In support of this motion and pursuant to Rule 38(a)(3)(C), the following original
23 documents are attached:
24

- 25 1. Verified Application to Appear Pro Hac Vice;
- 26 2. Certificate of Good Standing; and
- 27 3. State Bar of Arizona Notice of Receipt of Complete Application.

1 Ms. Overholser hereby agrees to serve as local counsel in this matter and accepts the
2 responsibilities detailed in Rule 38(a)(2), Ariz. R. Sup. Ct.

3 RESPECTFULLY SUBMITTED this 30th day of November, 2015.
4

5
6
7 By 
8 Sonia Overholser (012295)
9 U.S. Department of the Interior,
10 Office of the Solicitor
11 Office of the Phoenix Field Solicitor
12 Sandra Day O'Conner Federal Courthouse
Suite 404
401 West Washington, SPC #44
Phoenix, Arizona 85003

13 ORIGINAL and 13 COPIES of the
14 foregoing filed this 3rd day of
December, 2015 to:

15 Docketing Supervisor
16 Docket Control
17 Arizona Corporation Commission
18 1200 W. Washington
Phoenix, Arizona 85007

19 COPIES of the foregoing mailed
20 this 3rd day of December, 2015 to:

21 Matthew Keim, Manager of Public Projects
22 BNSF Railway
23 740 East Carnegie Drive
San Bernardino, California 92408-3571

24 Patrick Black
25 Fennemore Craig, P.C
26 2394 E. Camelback Rd, Ste 600
Phoenix, Arizona 85016

27 Janice Alward, Chief Counsel
28 Legal Division

1 Arizona Corporation Commission
1200 W. Washington
2 Phoenix, Arizona 85007

3 Brian Lehman, Chief
4 Railroad Safety Section of the Safety Division
Arizona Corporation Commission
5 1200 W. Washington
6 Phoenix, Arizona 85007

7 Dwight Nodes
Arizona Corporation Commission
8 1200 W. Washington
9 Phoenix, Arizona 85007-2927

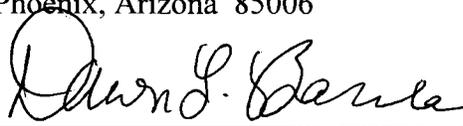
10 Chris Watson
Arizona Corporation Commission
11 1200 W. Washington
12 Phoenix, Arizona 85007

13 Robert Marvin
Arizona Corporation Commission
14 1200 W. Washington
15 Phoenix, Arizona 85007

16 Vicki Bever, Manager
Utility and Railroad Engineering
17 ADOT
18 205 S. 17th Avenue M/D 618E
Phoenix, Arizona 85007-3212

19 U.S. Department of the Interior
20 Bureau of Indian Affairs
21 P.O. Box 1060
Gallup, New Mexico 87306

22 COASH & COASH
23 1802 North 7th Street
24 Phoenix, Arizona 85006

25 
26 _____

1 **Arizona Corporation Commission**

2 In The Matter of USDOJ/BIA to Replace an)
3 Existing At-Grade RR Crossing of the BNSF)
4 Railway and to Construct a Four Span Bridge)
5 Over the BNSF Railway Tracks and the Rio)
6 Puerco River in Navajo, Apache County, AZ.)

CASE # **RR02635B-150300**

SBA App #1009286

5 **NOTICE OF RECEIPT OF**
6 **COMPLETE APPLICATION**

7 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the
8 verified application and fee from Evan Blackstone.

9 In addition to this application, applicant has made the following applications to appear pro hac
10 vice, pursuant to Rule38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
-----------------	--------------	------	----------

11
12 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good
13 Standing are attached hereto.

14 DATED this 2th day of December 2015

15 
16 Jennifer Ford, CAP
17 Member Resources Administrator
18 State Bar of Arizona

19 Original Mailed on this 2th day of December 2015 to:

20 Sonia Overholser
21 Department of the Interior Solicitor's Office
22 401 W Washington St Spc 44
23 Phoenix, AZ 85003-2151
24
25



Attn: Pro Hac Vice Dept
 4201 N. 24th St., Ste 100
 Phoenix, AZ 85016-6266
 Phone: 602-340-7239

For Official Use Only
 App# 1009286
 Bar Number# P190668

Overnight or Hand Delivery: 12.2.02
 4201 N. 24th St., Ste 100 \$475⁰⁰
 Phoenix, AZ 85016-6266
CC# 776283088

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Evan C. Blackstone

Firm/Company Name: U.S. Department of the Interior (DOI), Office of the Solicitor, Southwest Region

Office Address: 505 Marquette Ave. NW, Suite 1800, Albuquerque, NM 87102

Telephone: (505) 248-5606 Fax: (505) 248-5623 Email Address: evan.blackstone@sol.doi.gov

Residence Address: 2913 Dallas St. NE, Albuquerque, NM 87110

Title of cause or case where applicant seeks to appear: In the matter of USDO/BIA to Replace an Existing At-Grade Railroad Crossing of the BNSF Railway and to Construct a Four Span Bridge Over the BNSF Railway Tracks and the Rio Puerco River in Navajo, Apache County, AZ

Docket Number: RR-02635B-15-0300

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: DOI, Bureau of Indian Affairs

Pursuant to Arizona Supreme Court Rule 38(a)(4), the applicant shall complete the information below:

Courts to Which Applicant Has Been Admitted: <small>(Attach additional pages if necessary)</small>	Date of Admission:	Bar Number:
<u>New Mexico Supreme Court</u>	<u>9/20/2004</u>	<u>20278</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant is / is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Ariz. R. Sup. Ct., Rule 38(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
_____	_____	_____	_____
_____	_____	_____	_____

This case or cause is / is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket# _____

**SERVICE LIST - APPLICATION OF THE U.S. DEPARTMENT OF THE
INTERIOR/BIA AFFAIRS TO REPLACE AN EXISTING AT-GRADE CROSSING**

Matthew Keim, Manager of Public Projects
BNSF Railway
740 East Carnegie Drive
San Bernardino, California 92408-3571

Patrick Black
Fennemore Craig, P.C
2394 E. Camelback Rd, Ste 600
Phoenix, Arizona 85016

Janice Alward, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

COASH & COASH
1802 North 7th Street
Phoenix, Arizona 85006

Brian Lehman, Chief
Railroad Safety Section of the Safety Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

Chris Watson
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

Robert Marvin
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

Dwight Nodes
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007-2927

Vicki Bever, Manager
Utility and Railroad Engineering
ADOT
205 S. 17th Avenue M/D 618E
Phoenix, Arizona 85007-3212

U.S. Department of the Interior
Bureau of Indian Affairs
P.O. Box 1060
Gallup, New Mexico 87306

Sonia Overholser (012295)
U.S. Department of the Interior, Office of the Solicitor
Office of the Phoenix Field Solicitor
Sandra Day O'Conner Federal Courthouse, Suite 404
401 West Washington, SPC #44
Phoenix, Arizona 85003
(602) 364-7888
sonia.overholser@sol.doi.gov

