

(3) Upon receipt of an alternative under paragraph (c)(1) of this section, if a hearing request is also filed under paragraph (b)(1) of this section, NMFS will follow the provisions of paragraph (b)(3) of this section.

### Subpart B—Hearing Process

#### REPRESENTATIVES

#### § 221.10 Who may represent a party, and what requirements apply to a representative?

(a) *Individuals.* A party who is an individual may either represent himself or herself in the hearing process under this subpart or authorize an attorney to represent him or her.

(b) *Organizations.* A party that is an organization or other entity may authorize one of the following to represent it:

- (1) An attorney;
- (2) A partner, if the entity is a partnership;
- (3) An officer or full-time employee, if the entity is a corporation, association, or unincorporated organization;
- (4) A receiver, administrator, executor, or similar fiduciary, if the entity is a receivership, trust, or estate; or
- (5) An elected or appointed official or an employee, if the entity is a federal, state, tribal, county, district, territorial, or local government or component.

(c) *Appearance.* A representative must file a notice of appearance. The notice must:

- (1) Meet the form and content requirements for documents under § 221.11;
- (2) Include the name and address of the person on whose behalf the appearance is made;
- (3) If the representative is an attorney, include a statement that he or she is a member in good standing of the bar of the highest court of a state, the District of Columbia, or any territory or commonwealth of the United States (identifying which one); and
- (4) If the representative is not an attorney, include a statement explaining his or her authority to represent the entity.

(d) *Disqualification.* The ALJ may disqualify any representative for misconduct or other good cause.

#### DOCUMENT FILING AND SERVICE

#### § 221.11 What are the form and content requirements for documents under this subpart?

(a) *Form.* Each document filed in a case under this subpart must:

- (1) Measure 8½ by 11 inches, except that a table, chart, diagram, or other attachment may be larger if folded to 8½ by 11 inches and attached to the document;
- (2) Be printed on just one side of the page;
- (3) Be clearly typewritten, printed, or otherwise reproduced by a process that yields legible and permanent copies;
- (4) Use 10 point font size or larger;
- (5) Be double-spaced except for footnotes and long quotations, which may be single-spaced;
- (6) Have margins of at least 1 inch; and
- (7) Be bound on the left side, if bound.

(b) *Caption.* Each document filed under this subpart must begin with a caption that sets forth:

- (1) The name of the case under this subpart and the docket number, if one has been assigned;
- (2) The name and docket number of the license proceeding to which the case under this subpart relates; and
- (3) A descriptive title for the document, indicating the party for whom it is filed and the nature of the document.

(c) *Signature.* The original of each document filed under this subpart must be signed by the representative of the person for whom the document is filed. The signature constitutes a certification by the representative that he or she has read the document; that to the best of his or her knowledge, information, and belief, the statements made in the document are true; and that the document is not being filed for the purpose of causing delay.

(d) *Contact information.* Below the representative's signature, the document must provide the representative's name, mailing address, street address (if different), telephone number, facsimile number (if any), and electronic mail address (if any).