

May 12, 2009

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on May 12, 2009, 10:00 a.m. Present were Commissioners Cramer, Clark and Kalk.

Case No. AM-09-26
Williams County Road 9
2009 Phase 4 Construction
Project

Mr. Cramer: I move the Commission award a contract to Agri Industries, Inc. in the amount of \$958,375.00 for drilling and grouting at the Williams County Road 9 Phase 4, Abandoned Mine Lands reclamation project.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-09-26
Williams County Road 9
2009 Phase 4 Construction
Project

Mr. Cramer: I move the Commission award a contract to Material Testing Services, LLC in the amount of \$52,150.00 for material testing and other services for the Williams County Road 9 Phase 4, Abandoned Mine Lands reclamation project.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-09-180
2010 Administration &
Enforcement Grant
Application

Mr. Cramer: I move the Commission submit the 2010 Administration and Enforcement Grant Application to the Office of Surface Mining for funding the coal mining regulatory program from July 1, 2009, to June 30, 2010.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-09-173
BNI Coal, Ltd.
Collateral Bond
Approval

Mr. Cramer: I move the Commission approve Collateral Bond No. CB-9702-2 in the amount of \$9,000,000 and Collateral Bond No. CB-37-1 in the amount of \$135,000 that cover surface coal mining permits held by BNI Coal, Ltd. for the Center Mine.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:08 A.M.

Executive Secretary

KEVIN CRAMER, PRESIDENT