

January 10, 2007

John Walstad, Code Revisor
Legislative Council
State Capitol
Bismarck, North Dakota 58505

Re: Public Service Commission
Reclamation
Rulemaking
Case No. RC-05-591

Dear Mr. Walstad:

Enclosed please find a copy of amendments to Article 69-05.2 concerning surface coal mining and reclamation rules. The Commission's April 12, 2006, order includes a summary of the comments and the written record of the agency's consideration of all comments. A copy of the order is attached.

By letter dated May 15, 2006, the Attorney General approved the proposed rules as to their legality. A copy of that letter is also attached. On December 20, 2006, these rule changes were also approved by the federal Office of Surface Mining as being consistent with counterpart federal regulations. On January 10, 2007, the Public Service Commission adopted the rules as approved, and is now submitting the rule changes for publication in the North Dakota Administrative Code.

Thank you for your attention to this matter.

Sincerely,

Illona A. Jeffcoat-Sacco
Executive Secretary

Attachments