



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

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Bismarck, North Dakota 58505-0480  
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August 13, 2009

Mr. Darell Herman  
Personal Representative  
Marguerite Herman Estate  
1605 59<sup>th</sup> Ave SW  
Beulah, ND 58523

Dear Mr. Herman:

Enclosed is a copy of the Commission's August 12<sup>th</sup> Order adopting the Hearing Officer's Recommended Findings of Fact, Conclusions of Law and Order for the Informal Conference held on Dakota Westmoreland's application for Revision No. 25 to Permit No. KRSB-8802 for the Beulah Mine, PSC Case No. RC-08-612. Reclamation Division staff will be analyzing the changes to the post-mining topographic plan that Dakota Westmoreland recently submitted in response to the division's technical deficiency letter on this application. Further Commission action on the revision application is not expected for several weeks.

If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Deutsch".

James R. Deutsch  
Director  
Reclamation Division

Enclosure

m\Beulah\8802\Revisions\No. 25\Infcon\_Order\_itr\_8-13-09



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August 13, 2009

Mr. Jeff Frohlich  
Manager, Engineering & Environment  
Dakota Westmoreland Corporation  
Beulah Mine  
PO Box 39  
Beulah, ND 58523-0039

Dear Mr. Frohlich:

Enclosed is a copy of the Commission's August 12<sup>th</sup> Order adopting the Hearing Officer's Recommended Findings of Fact, Conclusions of Law and Order for the Informal Conference held on Dakota Westmoreland's application for Revision No. 25 to Permit No. KRSB-8802 for the Beulah Mine, PSC Case No. RC-08-612. Reclamation Division staff will be analyzing the changes to the post-mining topographic plan that you recently submitted in response to the division's technical deficiency letter on this application. Further Commission action on the revision application is not expected for several weeks.

If you have any questions, please contact our office.

Sincerely,

James R. Deutsch  
Director  
Reclamation Division

Enclosure



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August 13, 2009

Mr. Allen C. Hoberg  
Office of Administrative Hearings  
1707 North 9<sup>th</sup> Street, Lower Level  
Bismarck, ND 58501

Re: Dakota Westmoreland Corporation  
Revision No. 25, Permit KRSB-8802  
PSC Case No. RC-08-612  
OAH File No. 20090183

Dear Mr. Hoberg:

Enclosed is a copy of the Commission's August 12<sup>th</sup> Order adopting your Recommended Findings of Fact, Conclusions of Law and Order for the Informal Conference held on Dakota Westmoreland's application for Revision No. 25 to Permit No. KRSB-8802 for the Beulah Mine, PSC Case No. RC-08-612. Reclamation Division staff will be further analyzing the changes to the post-mining topographic plan that Dakota Westmoreland recently submitted in response to the division's technical deficiency letter on this application. Further Commission action on the revision application is not expected for several weeks.

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Sincerely,

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James R. Deutsch  
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