



**OFFICE OF ADMINISTRATIVE HEARINGS**

STATE OF NORTH DAKOTA

1707 North 9th Street

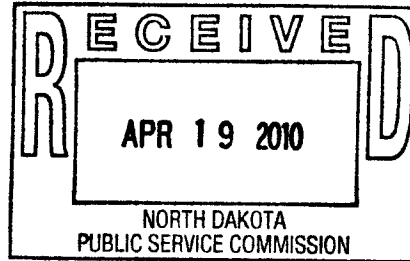
Bismarck, North Dakota 58501-1882

Allen C. Hoberg  
DIRECTOR

701-328-3260  
Fax 701-328-3254  
oah@nd.gov  
www.nd.gov/oah

April 16, 2010

Illona Jeffcoat-Sacco  
General Counsel  
Public Service Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505



Dear Ms. Jeffcoat-Sacco:

Thank you for your April 15, 2010, request of the designation of an administrative law judge from the Office of Administrative Hearings to conduct a hearing in the matter of Falkirk Mining Company RC-08-640. I hereby designate myself, Allen C. Hoberg, to be assigned as an administrative law judge to conduct the hearing in regard to this matter. Because the administrative law judge will not be making recommended findings of fact and conclusions of law, or issuing a recommended order, the person or persons who will be making the final administrative decision in regard to this matter (*i.e.*, the commission) must be in attendance at the hearing.

Please send all additional relevant documents (correspondence, and other pleadings and documents) to the designated administrative law judge in care of the Office of Administrative Hearings, 1707 North 9th Street, Bismarck, North Dakota 58501-1882. I understand the hearing has not yet been scheduled and that you will forward a copy of the notice of hearing as soon as it is issued. Because the administrative law judge is requested to conduct the hearing only, the agency must give proper notice of the hearing.

**Your request has been assigned OAH File No. 2010-0122. Please include this number on all future documents and correspondence filed for this matter with the Office of Administrative Hearings.**

Sincerely,

Allen C. Hoberg  
Director

ACH/lmw

cc: Derrick L. Braaten, counsel for Dakota Resource Council