

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**BNI Coal, Ltd.
Bond Release 7, Permit BNCR-8106
Approval**

Case No. RC-08-694

NOTICE OF FORMAL HEARING

January 12, 2011

Preliminary Statement

On November 24, 2010, the Public Service Commission approved Bond Release No. 7 for Permit BNCR-8106 to grant final bond release on 195 acres of reclaimed land at BNI Coal's Center Mine. This acreage has post-mining land uses of cropland, hayland, tame pastureland, two permanent impoundments, and parts of a county road and section line right-of-way.

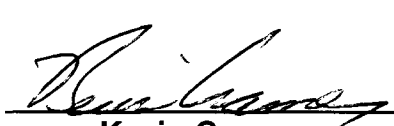
On December 27, 2010, the Commission received a request for a Formal Hearing on the decision to approve the bond release.

Notice of Informal Conference

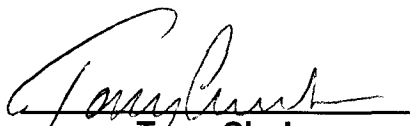
Notice is hereby given that the captioned matter is set for Formal Hearing, commencing at 1:30 p.m. CST, on February 11, 2011, in the Public Service Commission's Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

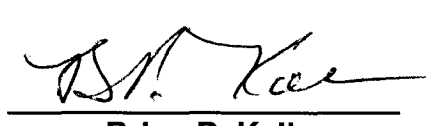
PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Tony Clark
Chairman**



**Brian P. Kalk
Commissioner**