

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 25, Permit BNCR-9702
Application

Case No. RC-08-889

NOTICE OF RECEIPT OF REVISION APPLICATION

January 14, 2009

BNI Coal has filed a revision application to Surface Coal Mining Permit BNCR-9702 to expand the limits of mining plans in portions of Sections 21, 28, and 32, T142N, R84W, Oliver County, and to change the limited mine plan, the extended mine plan, the reclamation plan including the reclamation schedule and variances, and the post-mining topography, land use, and slope analysis. The revision also updates the legal and financial sections of the permit.

The revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
Bismarck, North Dakota 58505-0480

Oliver County Auditor
County Courthouse
Center, North Dakota 58530

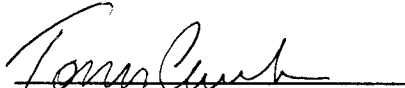
You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by March 6, 2009.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

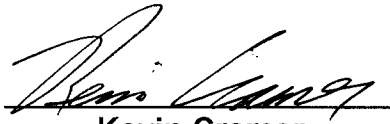
Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave., Dept. 408, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
President



Brian P. Kalk
Commissioner

Mailing lists for Notice of Revision Application - local (Oliver County), state and federal agencies plus advisory committee members

Use standard lists

Regular First Class, mailing affidavit

Certified mailings to the following surface owners:

Patricia Pella
PO Box 33405
Seattle, WA 98133

Lavonne Arthur
2322 St. Croix St.
Kissimmee, FL 34741

Yonne Langseth
PO Box 629
Rapid City, SD 57701

Jeanette Lange
3515 NE 156th St
Lake Park Forest, WA 98155

Virginia Miller
401 E North St
Harvey, ND 58341

Jacqueline Gullickson
1895 33rd Ave SW
Center, ND 58530

Tom & Kathleen Lipp
4744 Thornburg Drive
Bismarck, ND 58504