



Public Service Commission
State of North Dakota

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February 23, 2009

Ms. Donna Frey
Retail Department
Bank of North Dakota
Bismarck, ND 58505

Re: Escrow Account for NOV 0804, PSC Case No. RC-08-927

Dear Ms. Frey:

The Public Service Commission requests that an escrow account be set up for the proposed penalty of \$1,500 paid by the Dakota Westmoreland Corporation for Notice of Violation No. 0804, Case No. RC-08-927. The endorsed check from Dakota Westmoreland Corporation is enclosed. Our rules require that these funds be held in escrow pending the final outcome of the case. An informal conference was held on this matter and it is possible a formal hearing will be requested. The name of the account should be "ND Public Service Commission Escrow Account for the Dakota Westmoreland Corporation, NOV-0804."

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

cc: Jesse Noel

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Escrow Account Established at the Bank of North
Dakota for the Proposed Penalty

Public Service Commission

Jim Deutsch