



Public Service Commission

State of North Dakota

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March 12, 2009

Mr. Jesse Noel, P.E.
Manager, Engineering and Environmental
Dakota Westmoreland Corporation
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039

Re: Case No. RC-08-927
Dakota Westmoreland Corporation
Notice of Violation No. 0804

Dear Mr. Noel:

Enclosed is a copy of the Commission's March 11, 2009 Order adopting the Hearing Officer's Recommended Findings of Fact, Conclusion of Law and Order for the Informal Conference that was held on Notice of Violation No. 0804. Please note that Dakota Westmoreland has 30 days to request a formal hearing with the Commission if you want to appeal this decision.

If you have any questions, please contact our office.

Sincerely,

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

James R. Deutsch
Director
Reclamation Division

Enclosure

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