

APPROVED

DATE:

5-12-09

MOTION

May 12, 2009

**BNI Coal, Ltd.
Collateral Bonds
Approval**

Case No. RC-09-173

I move the Commission approve Collateral Bond No. CB-9702-2 in the amount of \$9,000,000 and Collateral Bond No. CB-37-1 in the amount of \$135,000 that cover surface coal mining permits held by BNI Coal, Ltd. for the Center Mine.

SAS & JRD

caselib\090173\motion.docx