

APPROVED

DATE: 6-24-09
[Signature]

MOTION

June 24, 2009

**Dakota Westmoreland Corporation
Notice of Violation No. 0902
Violation**

Case No. RC-09-176

I move the Commission adopt the order to affirm Notice of Violation No. 0902 issued to Dakota Westmoreland Corporation at the Beulah Mine, cancel the informal conference that was scheduled in the matter, and close the case.

GAW, DKM & JRD

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