



Public Service Commission

State of North Dakota

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600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

January 19, 2010

Dr. Jay Volk
Environmental Services Supervisor
BNI Coal, Ltd.
2360 35th Ave. SW
Center, ND 58530-9499

Dear Dr. Volk:

The Reclamation Division is prepared to recommend Commission approval of Revision No. 27 to Permit BNCR-9702 at the January 27th Commission meeting. As required by NDAC 69-05.2-06-01(2), BNI Coal, Ltd. must also update the ownership and control (business entity) information that is listed in Section 1.7 of the permit. The updated information will be subject to a query on OSM's Applicant Violator System before approval of the revision. This information needs to be filed no later than January 25th.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "James R. Deutsch".

James R. Deutsch
Director
Reclamation Division

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