

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 27, Permit BNCR-9702
Approval

Case No. RC-09-204

NOTICE OF PERMIT REVISION APPROVAL

January 27, 2010

Preliminary Statement

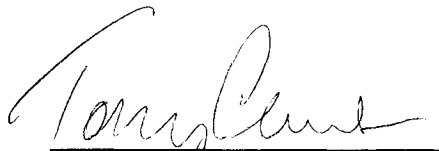
On May 19, 2009, BNI Coal, Ltd. applied for a permit revision to modify surface coal mining and reclamation operations approved under Permit No. BNCR-9702 for its mine near Center, North Dakota. This revision will allow BNI Coal, Ltd. to extend mining onto a 40-acre federal coal tract currently within the permit area, modifies reclamation plans to include this additional mining, and updates the extended mine plan and other information in this permit.

The Commission has completed its review of the application and has conditionally approved the permit revision. The revision will give BNI Coal, Ltd. the right to modify the mining and reclamation plans in Permit No. BNCR-9702 as described by the revision application.

Notice

Any person with an interest which is or may be adversely affected by this revision approval may request a formal hearing with the Commission within thirty days of the publication of this notice. The request should be addressed to the Public Service Commission, 600 East Boulevard Ave. Dept. 408, Bismarck, North Dakota 58505-0480.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner