

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Falkirk Mining Company
Notice of Violation No. 0903
Violation**

Case No. RC-09-316

NOTICE OF FORMAL HEARING

July 29, 2009

Preliminary Statement

On June 17, 2009, the Reclamation Division of the Public Service Commission issued Notice of Violation No. 0903 to the Falkirk Mining Company. The notice of violation was issued for removing topsoil from a reclaimed area for the construction of a haul road prior to approval of the revision that contained the design plans for the road.

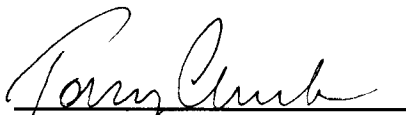
On July 10, 2009, the Commission received a request for a Formal Hearing from the Falkirk Mining Company.

Notice of Formal Hearing

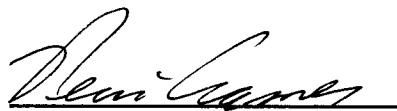
Notice is hereby given that the captioned matter is set for a Formal Hearing, commencing at 1:30 p.m. CDT, on September 9, 2009, in the Public Service Commission's Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify Darrell Nitschke, Executive Secretary, Public Service Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

PUBLIC SERVICE COMMISSION



**Tony Clark
Commissioner**



**Kevin Cramer
President**



**Brian P. Kalk
Commissioner**