



**OFFICE OF ADMINISTRATIVE HEARINGS**

STATE OF NORTH DAKOTA  
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Bismarck, North Dakota 58501-1882

Allen C. Hoberg  
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September 11, 2009

**RECEIVED**

SEP 13 2009

**PUBLIC SERVICE COMMISSION**

Illona A. Jeffcoat-Sacco  
General Counsel  
Public Service Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

Re: Falkirk Mining Company Notice of Violation No. 0903  
OAH File No. 20090227; RC-09-316

Dear Ms. Jeffcoat-Sacco:

On July 22, 2009, you requested the designation of an administrative law judge from the Office of Administrative Hearings to conduct a hearing in the matter of Falkirk Mining Company, Case No. RC-09-316 (OAH No. 20090227. I was designated as a procedural administrative law judge to conduct the hearing, but not to make recommended findings of fact and conclusions of law, or to issue a recommended order. The hearing on this matter was held on September 9, 2009. I understand that the agency will issue the appropriate order.

I am closing our file on this matter and returning that portion of the record I have in my possession to you for filing with the official agency record of this matter.

Thank you for your attention to these matters.

Sincerely,

Allen C. Hoberg  
Administrative Law Judge

ACH/lmw

Encl.

Cc: Brian Bjella, counsel for Falkirk Mining Company