

APPROVED

DATE: 12-31-09

[Signature]

MOTION

December 31, 2009

**Coteau Properties Company
Bond Release No. 3, Permit NACT-9101
Approval**

Case No. RC-09-652

I move the Commission approve Bond Release No. 3 for Surface Coal Mining Permit No. NACT-9101, held by the Coteau Properties Company for the Freedom Mine, to release all reclamation liabilities on 628.71 acres of land located in Section 22, T145N, R86W, Mercer County. The release will become effective February 1, 2010, unless a formal hearing is requested.

JRD, DKM & GAW