



Public Service Commission

State of North Dakota

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May 25, 2011

Mr. John Sebastian
Hinshaw & Culbertson, LLP
222 North LaSalle Street, Suite 300
Chicago, IL 60601

RE: Buechler/Velva Abandoned Mine Lands (AML) Project
Bond and Insurance Documents from Kern & Tabery, Inc.

Dear Mr. Sebastian:

In follow-up to the e-mail messages that AML staff sent to you last week, enclosed are paper versions of the performance and payment bonds, insurance documents, and a few other materials that we received from Kern & Tabery, Inc. for completion of the 2010 Buechler/Velva AML project. Enclosed are the following:

1. An original of Kern & Tabery's performance and payments bonds (we also have originals).
2. Copy of Kern & Tabery's contractor's license renewal for North Dakota.
3. Kern & Tabery's federal tax ID number.
4. Copy of the Certificate of Liability Insurance for Kern & Tabery.
5. Copies of 18 pages of endorsements for Kern & Tabery's insurance policies that include the additional insureds, waivers of rights of subrogation, and notice of prior cancellation as required by Covenant No. 8 of the Tender Agreement.

If you have any questions, please contact Jim Deutsch or Bill Dodd with the AML Division.

Sincerely,

Darrell Nitschke
Executive Secretary

Attachments

Minedate/AML/2010/Buechler-Velva/KernTabery2011Takeover/.doc

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