



Public Service Commission

State of North Dakota

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June 9, 2011

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

RE: Buechler/Velva Abandoned Mine Lands (AML) Project
Invoice No. 2 from Kern & Tabery, Inc.

Dear Mr. Sebastian:

Attached is a copy of the second invoice the AML Division has received from Kern & Tabery, Inc. for work that they have completed at the 2010 Buechler/Velva AML project and staff spreadsheets that are used to track contractor invoices and payments. The amount of Kern & Tabery's second invoice is \$19,833.60 for dirt work that has been completed. AML staff has reviewed the invoice and approves payment of this amount in accordance with Covenant No. 3 of the Tender Agreement. We understand that First National Insurance Company of America make payment to Kern & Tabery within seven days of your receipt of this letter.

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

Sincerely,

Darrell Nitschke
Executive Secretary

Attachments

AML/2010/Buechler-Velva/KernTabery2011takeover/Surety_K&T_invoice2_6-9-11.doc