



Public Service Commission

State of North Dakota

COMMISSIONERS

Tony Clark
Brian P. Kalk
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Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

November 23, 2011

Kevin Tabery
Kern & Tabery, Inc.
222 SE 1st Street, Suite 3
Wadena, MN 56482

Dear Mr. Tabery:

This is to notify you that the Commission acknowledged that all construction work at the 2010 Buechler/Velva AML Construction Project was completed under terms of the Tender Agreement and has approved the close-out of the completion contract for this project. Work on this project was completed and approved by our Project Manager on September 30, 2011 and the Commission made the final payment for the work in October.

Under terms of the Tender Agreement between Kern & Tabery, First National Insurance Company of America, and the Commission, Kern & Tabery satisfactorily completed the 2010 Buechler/Velva project that involved the reclamation of portions of abandoned surface mines about eight miles southwest of Velva, ND. The total amount paid to Kern & Tabery was \$1,049,169.96, including the \$272,491.39 paid by First National Insurance Company of America.

Please contact me if you have any questions.

Sincerely,

Jim Deutsch
Director
Abandoned Mine Lands Division

cc: John Sebastian, Hinshaw & Culbertson, LLP
Jeff Olson, First National Insurance Company of America
Jeff Fleischman, Office of Surface Mining

MineData/AML/2010/Buechler-Velva/KernTabery2011Takeover/KT_closeout_ltr.doc