



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

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

February 25, 2011

Ms. Pauline Wolf
University of North Dakota
Psychological Services Center
Montgomery Hall Room 210
290 Centennial Drive Stop 7108
Grand Forks, ND 58202-7108

Dear Ms. Wolf:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

A "Formal Hearing" can be requested following the informal conference and after the Commission makes a decision on the application. Unless I hear back from you, we will consider your letter a request for an informal conference on the South Heart Coal permit application.

Also, this is to let you know that an informal conference on the application will not be scheduled until the public comment period ends on this application. The public comment period will end in mid March. Considering the newspaper notices that we must publish before the informal conference is held, it is unlikely that the conference will be held until mid April at the earliest. You will be sent a copy of the informal conference notice as soon as it is scheduled.

If you have any questions, please let me know.

Sincerely,

Jim Deusch
Director
Reclamation Division



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February 25, 2011

Ms. Abigail Anderson
1407 S Blossom Drive
Menoken, ND 58558

Dear Ms. Anderson:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

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Sincerely,

Jim Deutsch
Director
Reclamation Division



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February 25, 2011

Ms. Audrey Cleary
104 Seminole Ave.
Bismarck, ND 58501

Dear Ms. Cleary:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

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If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Deutsch".

Jim Deutsch
Director
Reclamation Division



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February 25, 2011

Ms. Tamara M. Magness
2524 8th Ave. N
Grand Forks, ND 58203

Dear Ms. Magness:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

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Sincerely,

Jim Deutsch
Director
Reclamation Division



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February 25, 2011

Ms. Angela Kambeitz
1002 N 5th Street
Bismarck, ND 58501

Dear Ms. Kambeitz:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

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Sincerely,

Jim Deutsch
Director
Reclamation Division



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February 25, 2011

Ms. Angela McGinness
4940 Hwy 1806
Mandan, ND 58554

Dear Ms. McGinness:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

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Jim Deutsch
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February 25, 2011

Mr. Al Coen
1534 30th Ave. S
Fargo, ND 58103

Dear Mr. Coen:

We received your letter requesting a formal hearing on South Heart Coal LLC's application for Surface Coal Mining Permit No. SHSH-1001. This is to inform you that this is not the appropriate time to request a formal hearing on this application pursuant to the permit application review process set out in the reclamation law. The reclamation law allows interested persons to request an 'Informal Conference' with the applicant and the Commission after a permit application is deemed complete. This is stated in the newspaper advertisement being published by the applicant and in the notices we sent out to surface owners within the proposed permit area and numerous government agencies. If necessary, please refer to the informal conference procedures under North Dakota Century Code Section 38-14.1-19. An Administrative Law Judge from the Office of Administrative Hearings will be requested to preside over the informal conference.

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Sincerely,

Jim Deutsch
Director
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