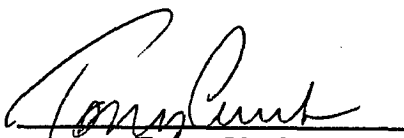


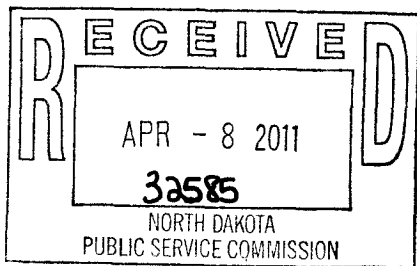
Written comments, objections, petitions, or requests for an informal conference should be addressed to the Public Service Commission, 600 E Boulevard Ave Dept 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

PUBLIC SERVICE COMMISSION


Kevin Cramer
Commissioner


Tony Clark
Chairman


Brian P. Kalk
Commissioner



**U.S. FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES**

NO ACTION. The Fish and Wildlife Service is unable to comment on this project due to funding or staff constraints. This does not constitute a report of the Department of the Interior in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.).

4/7/11
Date


Jeffrey K. Towner
Field Supervisor

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

South Heart Coal, LLC
Permit SHSH-1001
Application

Case No. RC-10-77

NOTICE OF RECEIPT OF PERMIT APPLICATION

January 12, 2011

South Heart Coal, LLC has filed the application for Surface Coal Mining Permit SHSH-1001 to conduct surface coal mining and reclamation operations at its proposed South Heart Lignite Mine covering lands located in:

All or portions of Sections 9, 10, 14, 15, 16, 17, 20, 21, 22, 23, 27, 28, 29, 33, and 34, T139N, R98W, Stark County, North Dakota, containing approximately 4,581.4 acres.

The surface coal mining and reclamation permit application may be inspected at:

Public Service Commission
State Capitol, 13th Floor
Bismarck, North Dakota 58505-0480

Stark County Auditor
County Courthouse
Dickinson, North Dakota 58601

You may submit written comments or objections on the proposed permit application and its effects on the environment and on surface owners of the land within and adjacent to the proposed permit area. You may also request an informal conference with the Commission and the applicant on the permit application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, petitions to designate lands unsuitable for mining, or requests for an informal conference must be filed with the Commission by March 15, 2011.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.