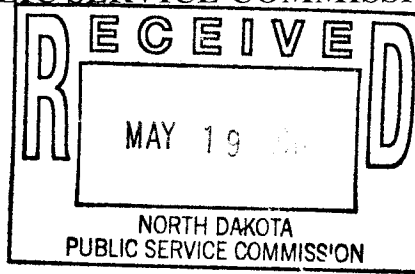


STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

South Heart Coal LLC
Permit No. SHSH-1001
Application



Case No. RC-10-77

OAH File No. 20110154

NOTICE OF PREHEARING CONFERENCE

YOU ARE HEREBY NOTIFIED that a prehearing conference on this matter will be held on May 27, 2011, beginning at 9:00 a.m. The prehearing conference will be a telephone conference call originating from the administrative law judge's (ALJ's) office. The ALJ will at that place a telephone call to Ms. Jeffcoat-Sacco and Mr. Gruman (701) 328-2400, and Mr. Bender at telephone number (701) 221-4020, unless otherwise notified.

The purpose of this prehearing conference is for counsel to discuss with the ALJ matters involved in this administrative action, including issues, witnesses, documentary evidence, hearing procedure, anticipated motions, and other preliminary matters. Opportunity will be given counsel to discuss any of the problems confronting them. The prehearing conference will be digitally recorded, and will be conducted in an informal manner.

At the conclusion of the prehearing conference, the ALJ may issue a prehearing order reflecting any action taken at the prehearing conference and giving direction as to the procedures or issues for the hearing.

Attendance at the prehearing conference is necessary to result in an orderly and timely disposition of this matter. Your cooperation is appreciated.

Dated at Bismarck, North Dakota, this 18th day of May 2011.

State of North Dakota
Public Service Commission

By: 

Allen C. Hoberg
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, North Dakota 58503
Telephone: (701) 328-3200

AMERICANS WITH DISABILITIES ACT NOTIFICATION: A party shall promptly notify the Public Service Commission in writing if the party has a disability which will require auxiliary aids or services at the prehearing conference so that the Public Service Commission can make appropriate accommodation prior to the prehearing conference. Any request for an interpreter at the prehearing conference must also be made in writing to the Public Service Commission. Any request for aids, services, or an interpreter should be as specific as possible about what is required by the party. Also, please send a copy of the notice or request to the administrative law judge.

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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OAH File No. 20110154

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the **NOTICE OF PREHEARING CONFERENCE** was mailed, regular mail, on the 18 day of May 2011, to:

Lawrence Bender
Fredrikson & Byron, PA
200 North 3rd Street – Suite 150
Bismarck, ND 58501-3879

and that a true and correct copy of the above document was mailed, inside mail, at the State Capitol on the 18 day of May 2011, to

Illona Jeffcoat-Sacco and Mark Gruman
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505

OFFICE OF ADMINISTRATIVE HEARINGS
Allen C. Hoberg, Administrative Law Judge



Louise Wetzel