

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**BNI Coal, Ltd.
Revision No. 32, Permit BNCR-9702
Renewal No. 2, Permit BNCR-9702
Application**

**Case No. RC-10-80
Case No. RC-10-81**

**AFFIDAVIT OF SERVICE BY
FIRST CLASS MAIL**

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

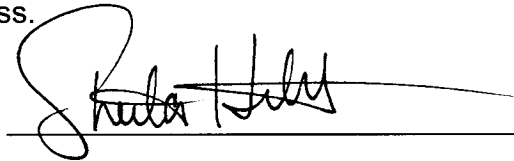
Sheila Hibi deposes and says that she is over the age of 18 years and not a party to this action and on, the 13th day of May, 2010, she deposited in the United States Mail, Bismarck, North Dakota, **21** envelopes by standard first-class mail, postage prepaid, **22** certified mail envelopes, postage prepaid, and **6** inside mail envelopes, all securely sealed and each containing:

**NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS
FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS**

The envelopes were addressed as follows.

See Attached Lists

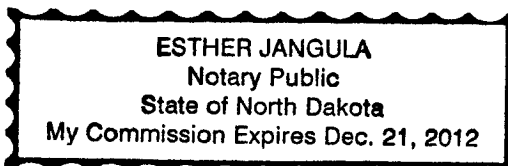
To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.



Subscribed and sworn to before me
this 13th day of May, 2010



S E A L



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 32, Permit BNCR-9702
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NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

May 12, 2010

BNI Coal, Ltd. has applied to renew Surface Coal Mining Permit BNCR-9702 and update legal, financial, and operation plans to continue surface coal mining and reclamation operations in the existing permit area located in:

All or portions of Sections 3, 4, 5, 6, 7, 8, 9, and 10, T141N, R84W; and Sections 21, 27, 28, 31, 32, 33, and 34, T142N, R84W, all in Oliver County, containing 6,342.05 acres.

The five-year permit renewal will allow BNI to continue mining and reclamation operations in Permit No. BNCR-9702 until August 2, 2015. Revision No. 32 identifies areas that will be mined during the next permit term and updates the legal and financial section, mining and reclamation plans and other information in this permit.

The renewal and revision applications and surface coal mining and reclamation permit may be inspected at:

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

Oliver County Auditor
County Courthouse
Center, North Dakota 58530

You may submit written comments or objections on the proposed permit renewal and revision applications and their effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision applications. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by June 28, 2010.

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

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, State Capitol, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner

Mailing lists for Notice of Renewal & Revision Applications - local, state and federal agencies and Advisory Committee members

use standard lists

regular First Class mail, mailing affidavit

Patricia Pella
P.O. Box 33405
Seattle, WA 98133
7008 2810 0000 4606 4107

Melvin Arthur
2322 St. Croix St.
Kissimmee, FL 34741
7008 2810 0000 4606 4114

Yonne Langseth
P.O. Box 629
Rapid City, SD 57701
7008 2810 0000 4606 4121

Jeanette Lange
3515 NE 156th St.
Lake Park Forest, WA 98155
7008 2810 0000 4606 4138

Virginia Miller
401 E North St.
Harvey, ND 58341
7008 2810 0000 4606 4145

Jacqueline Gullickson
1895 33rd Ave SW
Center, ND 58530
7008 2810 0000 4606 4152

Kenneth Barnhardt
510 N 23rd Avenue
Bozeman, MT 59715
7008 2810 0000 4606 4169

Helen Pflieger
105 Division St.
Mandan, ND 58554
7008 2810 0000 4606 4176

Dennis Barnhardt
17 Benteen Drive
Lincoln, ND 58504
7008 2810 0000 4606 4183

Keith Dahl
2515 41 Avenue SW
Center, ND 58530
7008 2810 0000 4606 4190

Brenda Schwalbe
3160 25th St.
Center, ND 58530
7009 1680 0001 2689 5365

Phyllis Vandenburg
7005 47th Avenue
Flasher, ND 58535
7008 2810 0000 4606 4282

Eugene Yantzer
2745 18th St SW
Center, ND 58530
7008 2810 0000 4606 4275

John Yantzer
1908 12th Ave SE
Mandan, ND 58554
7008 2810 0000 4606 4268

Tom & Kathleen Lipp
4744 Thornburg Drive
Bismarck, ND 58504
7008 2810 0000 4606 4251

Arnold Torgerson
4143 East Cochise St.
Phoenix, AZ 85028
7008 2810 0000 4606 4244

Arlyce Muth
110 2nd St NE
Dilworth, MN 56529
7008 2810 0000 4606 4237

Wilbert & Marie Mosbrucker
P.O. Box 73
Center, ND 58530
7008 2810 0000 4606 4220

Minnkota Power Cooperative
P.O. Box 13200
Grand Forks, ND 58208
7008 2810 0000 4606 4213

Kenneth & Darlene Reinke
3841 25th St SW
Center, ND 58530
7008 2810 0000 4606 4206

Kenneth Mosbrucker
403 9th Ave NE
Mandan, ND 58554
7009 1680 0001 2689 5372

Marion Reinke Life Estate
P.O. Box 43
Center, ND 58530
7009 1680 0001 2689 5389