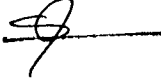


APPROVED

DATE: 7-28-10


MOTION

July 28, 2010

**BNI Coal, Ltd.
Renewal No. 2, Permit BNCR-9702
Approval**

Case No. RC-10-81

I move the Commission approve Renewal No. 2 to Surface Coal Mining Permit No. BNCR-9702, held by BNI Coal, Ltd. for the Center Mine, to extend the permit term for another five years, until August 2, 2015.

SAS & JRD

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