

APPROVED

DATE: 8-4-10



MOTION

August 4, 2010

**BNI Coal, Ltd.
Renewal No. 3, Permit BNCR-9401
Approval**

Case No. RC-10-112

I move the Commission approve Renewal No. 3 for Surface Coal Mining Permit No. BNCR-9401, held by BNI Coal, Ltd. for the Center Mine, to extend the permit term for another five years, until August 16, 2015.

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SAS & JRD