



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
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Executive Secretary
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600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

May 11, 2010

Dr. Jay Volk
Environmental Services Supervisor
BNI Coal, Ltd.
2360 35th Ave. SW
Center, ND 58530-9499

Dear Dr. Volk:

The Reclamation Division has finished its completeness review of the applications for Revision No. 9 and Renewal No. 3 to Permit BNCR-9401. These applications have been deemed complete and BNI may begin publishing the newspaper advertisement. Please forward copies of the affidavits of publication to our office following the last date of publication. The Reclamation Division will now begin a more detailed technical review of the applications.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "James R. Deutsch".

James R. Deutsch
Director
Reclamation Division

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