

APPROVED

DATE: 7-28-10

[Signature]

MOTION

July 28, 2010

**Dakota Westmoreland Corporation
Notice of Violation No. 1002
Violation**

Case No. RC-10-276

I move the Commission adopt an order in Case No. RC-10-276, Notice of Violation No. 1002 issued to Dakota Westmoreland Corporation at the Beulah Mine, to affirm the violation, assess a civil penalty, and close the case upon payment of the penalty.

DKM & JRD

CaseLib/10276/motion