

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**BNI Coal, Ltd.
Permit BNCR-1101
Application**

Case No. RC-11-700

NOTICE OF RECEIPT OF PERMIT APPLICATION

November 28, 2012

BNI Coal, Ltd. has filed an application for Surface Coal Mining Permit BNCR-1101 to conduct surface coal mining and reclamation operations at the Center Mine covering lands located in:

All or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21 and 28, T141N, R83W; Sections 12, 13, 24 and 25, T141N, R84W; and Sections 31 and 32, T142N, R83W, of Oliver County, North Dakota, containing 8,359.72 acres.

The surface coal mining and reclamation permit application may be inspected at:

Public Service Commission
State Capitol, 13th Floor
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 application and its effects on the environment and on surface owners of the land within and adjacent to the proposed permit area. You may also request an informal conference with the Commission and the applicant on the permit application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, petitions to designate lands unsuitable for mining, or requests for an informal conference must be filed with the Commission by January 28, 2013.

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

Written comments, objections, petitions, or requests for an informal conference should be addressed to the Public Service Commission, 600 E Boulevard Ave. Dept 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

PUBLIC SERVICE COMMISSION

Absent

Kevin Cramer
Commissioner

Brian P. Kalk

Brian P. Kalk
Chairman

Bonny M. Fetch

Bonny M. Fetch
Commissioner