

APPROVED

DATE: 12-21-12

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MOTION

December 21, 2012

**Dakota Westmoreland Corporation
Notice of Violation No. 1201
Violation**

Case No. RC-12-786

I move the Commission adopt an order in Case No. RC-12-786, Notice of Violation No. 1201 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