



OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF NORTH DAKOTA
2911 North 14th Street - Suite 303
Bismarck, North Dakota 58503

Allen C. Hoberg
DIRECTOR

August 16, 2013

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Illona Jeffcoat-Sacco
General Counsel
Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480



Dear Ms. Jeffcoat-Sacco:

On July 16, 2013, you requested the designation of an administrative law judge from the Office of Administrative Hearings to conduct an informal conference in the matter of BNI Coal, Ltd. I was designated as administrative law judge to conduct the hearing, to make recommended findings of fact and conclusions of law, and to issue a recommended order. Although the conference on this matter was scheduled for August 19, 2013, it is canceled. The matter has been informally resolved and BNI Coal has withdrawn its request for an informal conference. I understand that the agency will issue the appropriate order, if necessary.

I am closing our file on this matter and returning that portion of the record I have in my possession to you for filing with the official agency record of this matter.

If this matter has not been disposed of and a hearing is required, please make a new request for the designation of an administrative law judge for this matter using the appropriate OAH administrative law judge request form.

Thank you for your attention to this matter.

Sincerely,

Allen C. Hoberg
Administrative Law Judge

ACH/lmw

Encl.

cc: Jay Volk, BNI Coal, Ltd.

11 RC-13-334 Filed: 8/19/2013 Pages: 1
Letter closing OAH file

Allen Hoberg, ALJ - Office of Administrative Hearings