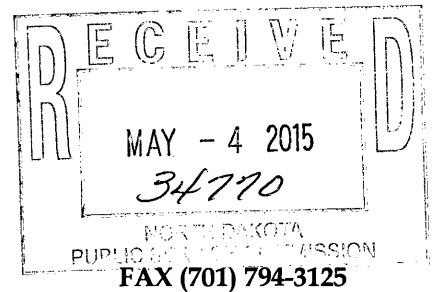


PHONE (701) 794-8734



AN ALLETE COMPANY

2360 35TH AVENUE SW CENTER, ND 58530-9499
MINING LIGNITE AT THE CENTER MINE SINCE 1970

May 4, 2015

Mr. Jim Deutsch, Director
Reclamation Division, NDPSC
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

RE: Renewal 4/Revision 13 to Permit BNCR-9401

Dear Mr. Deutsch,

This submittal contains a response to your letter to us dated April 30, 2015. In this letter you listed technical deficiencies that must be addressed before the Renewal No. 4 and Revision 13 permit applications for BNCR-9401 can be deemed complete. Below is a listing of the deficiencies followed by our response:

Revision No. 13 Application (SFN 10562)

1. Since current and planned water management features are being updated, surface water management needs to be added to the list of revision updates. Environmental resources and post mine land use do not need to be mentioned because updates to these sections are primarily for clarity. Please consider condensing the narrative description of the revision as follows: "*The permit revision updates the legal and financial, operations, reclamation, and surface water management sections, the extended mine plan, and the worst case bond estimate for permit renewal.*" (ZAB)

The revision description has been updated as suggested.

Newspaper Notice

2. As required by NDAC 69-05.2-05-02(1) and 69-05.2-10-01(1), please revise several sentences in the first two paragraphs on page 1 of the newspaper notice as follows: (WTG/ZAB)
 - a. ~~“The permit renewal depicts coal sub-removal for the next five year term.”~~ (Please delete this sentence since no coal removal is planned during the next permit term).
 - b. ~~“The area for which a permit revision renewal is sought includes approximately 384.17 acres ...”~~
 - c. Revise the last sentence of the first paragraph to, “*The permit revision updates the legal and financial, operations, reclamation and surface water management sections, the extended mine plan, and the worst case bond estimate.*”
 - d. ~~“Any person whose interests are or may be adversely affected by the proposed applications has the right to file written comments, objections or request an informal conference ~~or file a petition to designate an area as unsuitable for surface coal mining operations with the North Dakota Public Service Commission.~~”~~
 - e. ~~“Written comments, objections or requests for informal conferences ~~or petitions~~ should be ~~sent to~~ filed with the ND Public Service Commission, 600 E Boulevard Avenue, Dept. 408, Bismarck, ND 58505 within 30 days after the last ~~date~~ of publication of this notice.”~~

Items a. through e. have been update in the Newspaper Publication Notice as suggested.

3. Please review M. Ellen Emley listed for coal ownership in the NW¹/₄ of Section 8 and correct as necessary because Section 1.9 (Surface and Coal Ownership) and Plate 1.9-1 (Surface and Ownership) list Ellen M. Emley instead for coal ownership of the listed parcel. (WTG/ZAB)

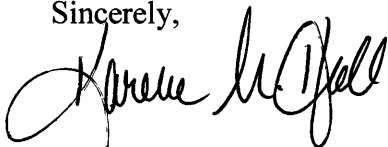
The coal owner signed the lease as M. Ellen Emley. Section 1.9 in the Legal and Financial section has been updated as well as Plate 1.9-1 Surface and Ownership Map.

4. As required by NDAC 69-05.2-05-02(1) and 69-05.2-10-01(1)(b), please revise the newspaper notice map to indicate by road line type or labeling that 35th AVE SW is temporarily closed south of the BNI Coal, Ltd. shop/office complex entrance in the E¹/₂SE¹/₄ of Section 31. (WTG)

A label and different line type has been added to the publication map to indicate that 35th Avenue SW is temporarily closed.

Thank you for your consideration of this matter. If you have any questions regarding this submittal, please contact me at the Center office.

Sincerely,



Karene M. Hall
Permit Coordinator



**APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS**
PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
SFN 10562 (1-2004)

May 1, 2015

Date
April 14, 2015

Name of Company, Corporation, Partnership, or Individual BNI Coal, Ltd.	Permit Number BNCR-9401	Revision Number 13	
Address 2360 35th Avenue SW	City Center	State ND	Zip Code 58530-9499

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.

update the legal and financial, operations, reclamation and surface water management sections, the extended mine plan, and the worst case bond estimate for permit renewal.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
ADDRESS					
TOTAL ACRES					

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ 0, is included with the revision application.

Name of Official Authorized to Represent the Applicant
Karene M. Hall

I, the above named, certify that:

1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
2. Information and documentation contained in the permit application affirmatively demonstrate that:
 - a. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;