

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Coyote Creek Mining Company, LLC**  
**Renewal 1 to Permit NACC-1302**  
**Revision 9 to Permit NACC-1302**  
**Approval**

**Case No. RC-19-189**  
**Case No. RC-19-190**

**NOTICE OF FORMAL HEARING**

**November 21, 2019**

**Preliminary Statement**

On May 20 and 22, 2019, the Public Service Commission received the applications for Revision No. 9 and Renewal No. 1 to Surface Coal Mining Permit NACC-1302 from Coyote Creek Mining Company, L.L.C. for its Coyote Creek Mine south of Zap in Mercer County. Revision No. 9 identifies the next five-year coal removal subarea, modifies the post-mining topography and updates the mining and reclamation plans prior to the permit renewal. The five-year permit renewal allows Coyote Creek Mining Company to continue to operate within the existing permit area until October 22, 2024. Casey and Julie Voigt requested an informal conference on the revision and renewal applications. The informal conference was held on October 8, 2019. On October 21, 2019, the Commission conditionally approved Revision No. 9, subject to the right of any person that is or may be adversely affected to request a formal hearing, and approved Renewal No. 1.

On November 20, 2019, the Commission received a request for a Formal Hearing on the approved applications from Casey and Julie Voigt with concerns about reclamation, reclamation liability, dust control, water erosion, alluvial valley floors, and road closures and access.

**Notice of Formal Hearing**

Notice is hereby given that the captioned matter is set for a Formal Hearing, commencing at 9:00 a.m., CST, on December 16, 2019, Public Service Commission Hearing Room, 12<sup>th</sup> Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

**PUBLIC SERVICE COMMISSION**

  
**Steve Kahl**  
**Executive Secretary**

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