

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Coteau Properties Company  
Revision 37, Permit NACT-9101  
Application

Case No. RC-21-447

REVISION OF PERMIT TO ENGAGE IN  
SURFACE COAL MINING AND RECLAMATION OPERATIONS

June 29, 2022

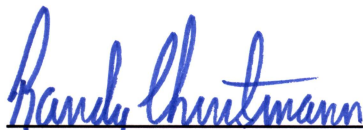
Based on the application for **Revision Number 37 to Permit Number NACT-9101 received November 29, 2021**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on November 29, 2021, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code.
2. Threatened and endangered species findings were reviewed in consultation with the USFWS North Dakota Field Office and it was determined that surface coal mining and reclamation activities planned during the next term of the permit will have no effect on the continued existence of any listed threatened or endangered species or proposed or designated critical habitat.
3. The Commission has determined that the worst-case reclamation cost estimate of \$174,435,045 is sufficient for the next five-year permit term based on mining and reclamation plans in Revision No. 37. The existing self-bond and collateral bond for the Freedom Mine totals \$186,000,000.00 and is sufficient to cover the worst-case reclamation cost estimate.
4. The Commission's other findings that were made when the permit was issued and updated with subsequent revisions, remain applicable to the revised operation and reclamation plans.

**Revision Number 37 to Permit Number NACT-9101 is hereby granted to The Coteau Properties Company to update mining and reclamation plans for the next five-year term of the permit as described in the permit revision application received November 29, 2021.**

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

  
Sheri Haugen-Hoffart  
Commissioner