



Public Service Commission

State of North Dakota

COMMISSIONERS

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22 November 2023

Timothy Dawson, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re:
Casey and Julie Voigt
v. Coyote Creek Mining Company, L.L.C.
Complaint
Case No. RC-23-348

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The Commission has not yet issued a Notice of Hearing. When the Notice is issued, we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

A handwritten signature in blue ink, appearing to read "John Schuh".

John Schuh
General Counsel

Enclosures

c: w/encl. via e-mail only

Derrick Braaten (derrick@braatenlawfirm.com)
Wade Mann (wmann@crowleyfleck.com)



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Casey and Julie Voigt v. Coyote Creek Mining Company, L.L.C., Complaint, PSC Case No. RC-23-348

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 38-14.1 & 28-32 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
 On 22 November 2023, Casey and Julie Voigt filed a Complaint against Coyote Creek Mining Company, L.L.C. regarding grade approval respread depths,

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.


PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 A Notice of Hearing has not yet been issued. We will forward the Notice to you once it is available.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person John Schuh, General Counsel	Date 11/22/2023
Signature of Requesting Person X 	Telephone Number (701) 328-2421

Attachment
Request for ALJ
22 November 2023

Re:
Casey and Julie Voigt
v. Coyote Creek Mining Company, L.L.C.
Complaint
Case No. RC-23-348

AGENCY North Dakota Public Service Commission	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 701-328-2400
Representation John Schuh General Counsel		701-328-2421
PARTY Casey and Julie Voigt	Address PO Box 454 Beulah, ND 58523	Telephone Number 701-873-2211
Representation Derrick Braaten	Braaten Law Firm 109 North 4 th Street, Suite 100 Bismarck, ND 58501	701-221-2911
PARTY Coyote Creek Mining Company, L.L.C.	Address 6502 17 th St. SW Zap, ND 58580	Telephone Number 701-873-7800
Representation Wade Mann	Crowley Fleck PLLP PO Box 2798 Bismarck, ND 58502-2798	701-223-6585