

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision 39, Permit NAFK-9503
Application

Case No. RC-25-254

AFFIDAVIT OF SERVICE BY CERTIFIED AND ELECTRONIC MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Erica J. Getz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **16th day of January 2026**, she deposited in the United States Mail at Bismarck, North Dakota, **four** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

• **Notice of Informal Conference**

The envelopes were addressed as follows:

Mr. Jason Sauer
722 N. Halifax Drive
Ormond Beach, FL 32176-4706
Cert. No. 9589 0710 5270 2708 2389 11

Wade Mann
100 West Broadway, Suite 250
PO Box 2798
Bismarck, ND 58501
Cert. No. 9589 0710 5270 2708 2389 28

Falkirk Mining Company
2801 1st Street SW
PO Box 1087
Underwood, ND 58576
Cert. No. 9589 0710 5270 2708 2389 35

Hope Hogan
Administrative Law Judge
2911 N 14th St. Suite 303
Bismarck, ND 58503
Cert. No. 9589 0710 5270 2708 2389 42

Erica J. Getz further deposes and says that on the **16th day of January 2026**, she sent an electronic message to **five** addresses, each including an electronic Copy in portable document format of the same document.

The electronic mail was addressed as follows:

Steve Burke
Falkirk Mining Company
Steve.burke@nacoal.com

Mr. Jason Sauer
jason.sauer.fl@gmail.com

Jason Frye
Falkirk Mining Company
Jason.frye@nacoal.com

Wade Mann
Crowley Fleck PLLP
wmann@crowleyfleck.com

Hope Hogan
Office of Administrative Hearings
hlhogan@nd.gov

Each address shown is the respective addressee's last reasonably ascertainable post office and electronic mailing address.

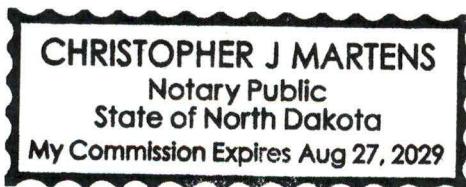
Subscribed and sworn to before me
this **16th day of January 2026.**





Notary Public

SEAL



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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Revision 39, Permit NAFK-9503
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NOTICE OF INFORMAL CONFERENCE

January 16, 2026

Preliminary Statement

On September 18, 2025 the Public Service Commission received the applications for Revision 39 and Renewal 6 to Surface Coal Mining Permit NAFK-9503 from The Falkirk Mining Company for its Falkirk Mine located southwest of Underwood, North Dakota in McLean County. Revision 39 identifies the next five-year coal removal subareas that will be mined during the next five-year permit term and updates the mining and reclamation plans prior to the permit renewal. The five-year permit renewal allows The Falkirk Mining Company to continue to operate within the existing permit area until April 17, 2031.

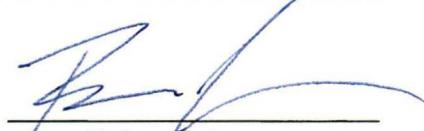
On January 15, 2026, the Commission received a request from Jason Sauer for an Informal Conference on the application for Revision 39, citing concerns related to the applicant's ability to restore land productivity, soil handling, hydrological balance, and property rights.

Notice of Informal Conference

Notice is hereby given that the captioned matters are set for an Informal Conference, commencing at **9:00 a.m. CST, on February 11, 2026, Public Service Commission Hearing Room, 12th 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



Brian Johnson
Executive Secretary