

0003

From: Angela Nance
To: lkeene@osmre.gov
Date: 1/12/2009 10:25 AM
Subject: Willow Creek - Ownership & Control
Attachments: WillowCreekO&C.pdf

Outgoing
C/007/0038
R

Hi Linda,

Attached is the Ownership and Control information we received for the Willow Creek Mine (C/007/0038) as part of their Midterm Review. This information may already be in AVS - but here it is just in case. In fact, I spot checked a few items and the items I checked seem to be in AVS.

Thanks!
Angela
angelanance@utah.gov

FOUNDATION COAL HOLDINGS, INC. - #1381
(formerly FC 1 Corp.; name changed to Foundation Coal Holdings, Inc. 8/10/04)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Incorporation:
State Delaware
Date July 19, 2004
Existence Perpetual

Annual Stockholders' Meeting:
Date At such time as determined by the Board
Location At such place as determined by the Board

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In: Maryland (10/20/04)

Capital Stock:
Authorized 100,000,000 common - \$0.01 par value
10,000,000 preferred - \$0.01 par value
Issued 46,583,670 common* (includes 1,422,558 treasury)
Outstanding 45,161,112 common*
Ownership Publicly traded

Principal Activity: Holding company of all U. S. coal properties previously
owned by RAG Coal International AG.

IRS Identification Number: 42-1638663

Officers:

Chief Executive Officer
President and Chief Operating Officer
Senior Vice President and Chief Financial Officer
Senior Vice President, Operations
Senior Vice President and Chief Information Officer
Senior Vice President, Sales and Marketing
Senior Vice President, Safety and Human Resources
Senior Vice President, General Counsel, and Secretary
Vice President and Corporate Controller
Vice President, Investor and Media Relations
Treasurer
Assistant Secretary

Name:

James F. Roberts
Kurt D. Kost
Frank J. Wood
James J. Bryja
James A. Olsen
A. Scott Pack, Jr.
Michael R. Peelish
Greg A. Walker
James L. Anderson, Jr.
Todd C. Allen
Gary G. Pearson
Edythe C. Katz

Date Elected:

Aug. 16, 2004 ✓
Jan. 1, 2008 ✓
Aug. 16, 2004 ✓
June 18, 2007 ✓
Dec. 13, 2007 ✓
May 18, 2006 ✓
Aug. 16, 2004 ✓
Aug. 16, 2004 ✓
Sept. 13, 2007/Dec. 15, 2004 ✓
Sept. 17, 2007 ✓
Aug. 16, 2004 ✓
Oct. 7, 2004 ✓

* as of March 26, 2008

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FOUNDATION COAL HOLDINGS, INC. - #1381
(formerly FC 1 Corporation; name changed to Foundation Coal Holdings, Inc. 8/10/04)

	Name:	Date Elected:
Directors:		
Chairman	James F. Roberts	Aug. 17, 2004/Apr. 1, 2006
Lead Independent Director	Joel Richards, III	Mar. 8, 2005/Apr. 1, 2006
	William J. Crowley, Jr.	Dec. 1, 2004
	David I. Foley	Aug. 17, 2004 ✓
	P. Michael Giftos	Dec. 7, 2005
	Alex T. Krueger	Aug. 17, 2004 ✓
	Robert C. Scharp	Dec. 7, 2005
	Thomas V. Shockley, III	Apr. 1, 2006
Audit Committee:		
Chairman	William J. Crowley, Jr.	Dec. 1, 2004
	P. Michael Giftos	Dec. 7, 2005
	Robert C. Scharp	Dec. 7, 2005
	Thomas V. Shockley	Apr. 1, 2006
Compensation Committee:		
Chairman	David I. Foley	Oct. 26, 2005/Feb. 7, 2006
	Alex T. Krueger	Jan. 1, 2008
	Joel Richards III	Mar. 8, 2005
	Thomas V. Shockley, III	Apr. 15, 2007
Nominating and Corporate Governance Committee:		
Chairman	Joel Richards III	Mar. 8, 2005/Dec. 7, 2005
	William J. Crowley, Jr.	Dec. 1, 2004
	P. Michael Giftos	Dec. 7, 2005
	Robert C. Scharp	Apr. 1, 2006

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FC 2 CORP. - #1380

Principal Operating Office:

999 Corporate Blvd
Linthicum Heights, MD 21090

Incorporation:

State
Date
Existence

Delaware
July 19, 2004
Perpetual

Annual Stockholders' Meeting:

Date
Location

In July at such day and time as the Board may determine
At such place as the Board may determine

Resident Agent in State of Incorporation:

The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In:

Maryland (10/1/04)

Capital Stock:

Authorized
Outstanding
Ownership

100 - \$0.01 par value
100
Foundation Coal Holdings, Inc.

Principal Activity:

Acquisition vehicle in connection with acquisition of North American operations of RAG Coal International AG and related financing; intermediate holding company.

IRS Identification Number:

42-1638665

Officers:

President and Chief Executive Officer
Senior Vice President and Chief Financial Officer
Senior Vice President, General Counsel and Secretary
Corporate Controller
Assistant Secretary

Name:

James F. Roberts
Frank J. Wood
Greg A. Walker
James L. Anderson, Jr.
Edythe C. Katz

Date Elected:

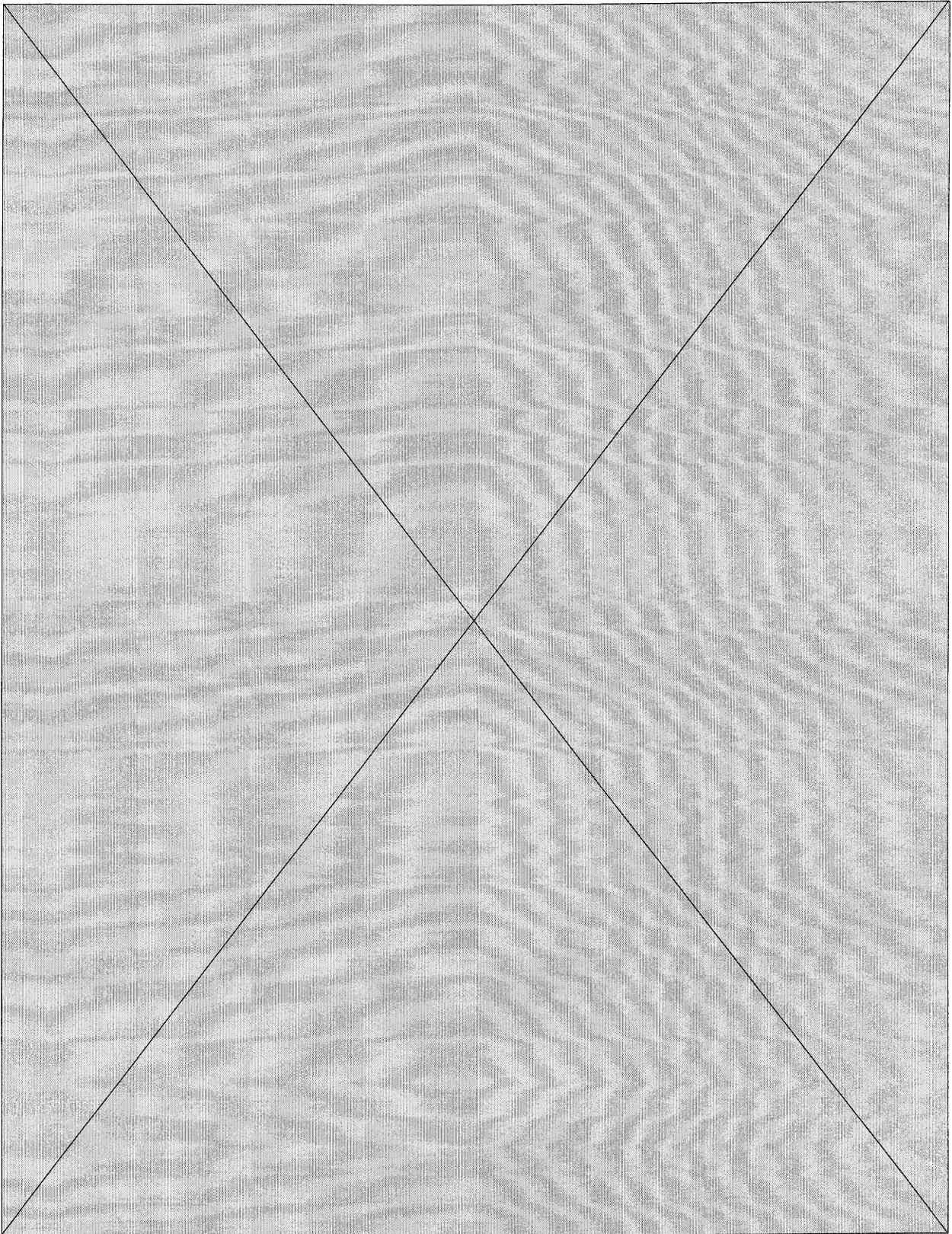
July 30, 2004
July 30, 2004
July 30, 2004
Nov. 23, 2004
Sept. 23, 2004

Directors:

James F. Roberts
Frank J. Wood

July 30, 2004
July 30, 2004

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FOUNDATION COAL CORPORATION - #1395
(Incorporated as American Coal Holding Corp.; name changed to American Coal Acquisition Corp. 4/30/04; name changed to Foundation Coal Corporation 6/24/04)

	Name:	Date Elected:
Vice President, Information Technology	William F. Groom	Jan. 3, 2006
Vice President, Human Resources	William H. McClure	Nov. 16, 2006
Vice President, Business Development	Brian L. Miller	Jan. 1, 2007
Vice President, Planning and Engineering	R. Michael Mishra	Dec. 1, 2007
Vice President, Materials Management	L. Brice Richmond	Nov. 16, 2006
Vice President, Government and Community Affairs	Jonathan B. Wood	Jan. 3, 2006
Treasurer	Gary G. Pearson	July 27, 2004
Assistant Secretary	Edythe C. Katz	Sept. 23, 2004
Directors:	James L. Anderson, Jr.	Nov. 30, 2004
	James F. Roberts	July 30, 2004
	Frank J. Wood	July 30, 2004
Audit Committee:		
Chairman	Frank J. Wood	Dec. 1, 2004
	James L. Anderson, Jr.	Dec. 1, 2004

NOTE: Registered in Pennsylvania for income tax purposes only.

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FOUNDATION AMERICAN COAL HOLDING, LLC - #1394
(Formerly Ruhrkohle-Stinnes Corporation; name change to Ruhr-American Coal Corporation 10/1/75;
name change to RAG American Coal Corporation 12/22/98; name change to
RAG American Coal Holding, Inc. 6/18/99; stock sale to Foundation Coal Corporation 7/30/04;
Name change to Foundation Coal Holding, Inc. 7/30/04; name change to Foundation American Coal
Holding, Inc. 8/9/04; Converted to Foundation American Coal Holding, LLC 8/19/05)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Formation:
State Delaware
Date October 31, 1974 (original date of incorporation stands)
Existence Perpetual

Annual Members' Meeting:
Date In August or at such other time as designated by the
Member.
Location Not specified

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In: Colorado (8/23/05), Maryland (8/23/05)

Ownership: Foundation Coal Corporation - 100%

Principal Activity: Intermediate holding company for all U.S. affiliates

IRS Identification Number: 13-2793319

	Name:	Date Elected:
Officers:		
President and Chief Executive Officer	James F. Roberts	Mar. 1, 1999
Senior Vice President and Chief Financial Officer	Frank J. Wood	Mar. 2, 2004
Secretary	Greg A. Walker	Aug. 24, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Mar. 27, 2001
Assistant Secretary	Sharon J. Fetherhuff	May 1, 2005
Directors:		
	James F. Roberts	Mar. 1, 1999
	Frank J. Wood	July 30, 2004

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October 8, 2007

FOUNDATION AMERICAN COAL COMPANY, LLC - #1389
(converted to a limited liability company from the corporation RAG American Coal Company 3/10/04;
formerly RAG American Coal Company LLC; name changed to Foundation American Coal Company, LLC 7/30/04)

Principal Operating Office: 999 Corporate Blvd.
Linthicum Heights, MD 21090

Formation:
State Delaware
Date June 18, 1999
Existence Perpetual

Annual Members' Meeting:
Date In March or at such other time as designated by the Member
Location Not specified

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, Delaware 19801

Date Qualified to Do Business In:

Ownership: Foundation American Coal Holding, LLC - 100%

Principal Activity: Holding company for the former Cyprus Amax entities

IRS Identification Number: 54-1947356

Officers:	Name:	Date Elected:
President and Chief Executive Officer	James F. Roberts	June 24, 1999
Vice President	Frank J. Wood	June 30, 1999
Secretary	Greg A. Walker	June 30, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Mar. 27, 2001
Assistant Secretary	Sharon J. Fetherhuff	May 1, 2005
Directors:	James F. Roberts	June 18, 1999
	Frank J. Wood	July 30, 2004

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December 1, 2007

PLATEAU MINING CORPORATION - #1774
(Formerly Plateau Mining Company; name change to Cyprus Plateau Mining Corporation 6/8/87;
name change to Plateau Mining Corporation 6/30/99)

Principal Operating Office: 847 NW Highway 191
Helper, UT 84526

Incorporation:
State Delaware
Date August 26, 1982
Existence Perpetual

Annual Stockholders' Meeting:
Date Second Thursday in December at 8:00 a.m.
Location Principal office unless otherwise determined by the Board

Resident Agent in State of Incorporation: The Corporation Trust Company
1209 Orange Street, Wilmington, DE 19801

Date Qualified to Do Business In: Utah (8/17/87)

Capital Stock:
Authorized 10,000 common - \$100.00 par value
100 preferred - \$100.00 par value (10 designated Series A)
Outstanding 200 shares common; 1 share preferred Series A
Ownership Common: Foundation American Coal Company, LLC
Preferred Series A: Foundation American Coal Company, LLC

Principal Activity: Holds permits and has certain payment obligations associated
with the reclaimed Star Point and Willow Creek underground
coal mines in Utah.

IRS Identification Number: 95-3761213

	Name:	Date Elected:
Officers:		
President	James J. Bryja	Dec. 1, 2007
Vice President, Sales and Marketing	Larry M. Deal	Mar. 1, 2000
Vice President	Frank J. Wood	Dec. 20, 1993
Secretary	Greg A. Walker	June 30, 1999
Controller	James L. Anderson, Jr.	May 1, 2005
Treasurer	Gary G. Pearson	Dec. 13, 2002
Assistant Secretary	Sharon J. Fetherhuff	Dec. 13, 2002
Directors:		
	James F. Roberts	June 30, 1999
	Frank J. Wood	June 30, 1999

Note: Holds SMCRA permits; Minority interest held by Mitsubishi bought out 12/10/01.

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