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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

November 16, 2011

TO: Internal File

THRU: Ingrid Campbell, Team Lead IC

FROM: Angela Nance, Business Analyst an

RE: Midterm Permit Review, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019, Task ID #3940

SUMMARY:

In accordance with R645-303-211, The Division is required to review each active permit during its term. The Division commenced the Midterm Review for the Cottonwood/Wilberg Mine on October 20, 2011. This Technical Memorandum reviews the ownership and control information to ensure that it is current and correct as compared to the information found in the Applicant Violator System (AVS).

The findings in this memo are based on a review of the current Mining and Reclamation Plan (MRP).

TECHNICAL ANALYSIS:

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

Analysis:

PacifiCorp's shares are owned by PPW Holdings LLC, which is a wholly-owned subsidiary of MidAmerican Energy Holdings Company (MEHC). MEHC is a majority-owned subsidiary of Berkshire Hathaway, Inc. Information regarding the ownership and control of these entities and other parent or controlling corporations is described in the PacifiCorp Legal and Financial Volume of the MRP.

Findings:

Some of the information in the current MRP does not match the information found in the OSM/AVS database.

The following deficiencies must be addressed in accordance with **R645-301-112.330.**

PPW Holdings LLC

1. The following individuals show a Begin Date of 5/18/06 in the MRP. However, the AVS database shows these same individuals with a Begin Date of 3/15/06.
    a. Steven R. Evans, Vice President
    b. Wayne F. Irmiter, Vice President
    c. Mitchell F. Ludwin, Vice President
    d. James C. Galt, Assistant Treasurer

    This discrepancy should be addressed by either correcting the MRP or providing a Secretary's Certificate to correct the AVS.

PacifiCorp

1. The AVS shows **Mark C. Moench as a Vice President and General Counsel with a Begin Date of 2/01/10.** This information is not in the MRP. *This discrepancy should be addressed by either correcting the MRP or providing a Secretary's Certificate to remove this information from the AVS.*

RECOMMENDATION:

The Operator should submit either updated pages for the MRP to reflect the correct information or the Operator should provide a Secretary's Certificate so that the AVS can update its records.

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