



USIBELLI COAL MINE, INC.

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February 16, 2018

The Honorable Representative Matt Claman
State Capitol
Juneau, Alaska 99801

Re: HB 330 DNR: Release of Confidential Information

Dear Representative Claman:

Usibelli Coal Mine, Inc. (UCM), located in Healy, Alaska is a privately-held, fourth generation, family-owned business. As the only operating coal mine in the state, UCM supplies 100 percent of the in-state demand to six coal-fired power plants in Interior Alaska. UCM employs approximately 100 people and is the largest year-round private sector employer in the Denali Borough.

UCM has approximately 45,000 acres of leased land from the State of Alaska. Most of that land contains our coal leases, for which we have numerous permits issued by the Alaska Department of Natural Resources (DNR) under the Alaska Surface Coal Mine Control and Reclamation Act. UCM is concerned that HB 330 will cause unintended consequences to our privately-held, family owned and operated business. The bill clearly targets oil and gas leases, however, the way the bill is currently written (version A), it would apply to all State leased land – including our coal leases. While the confidential information could only be released under a protective order, and only if the disclosure is necessary to adjudicate an appeal as determined by the DNR commissioner, UCM is still very concerned about our private, financial information falling into the wrong hands.

As a privately-held company, we have certain rights to privacy that publicly traded companies do not have. If an anti-coal mining group were to appeal one of UCM's permits, we do not foresee any scenario where the release of our confidential financial information to that group would be necessary or appropriate. We do not believe the commissioner should have discretion to release this information even if it is under the ostensible protection of a protective order.

Thank you for the opportunity to provide comments on HB 330. Should you have any questions, please do not hesitate to contact me at (907) 982-6744, or lorali@usibelli.com.

Sincerely,

Lorali M. Simon
Vice President, External Affairs