

BEFORE THE STATE BOARD OF EQUALIZATION
FOR THE STATE OF WYOMING

IN THE MATTER OF THE APPEAL OF)
POWDER RIVER COAL CO. (CABALLO MINE)) Docket No. **2012-02**
FROM A DECISION BY THE DEPARTMENT)
OF REVENUE)

SCHEDULING CONFERENCE ORDER

THIS MATTER having come before the Board upon its own motion, and the Board having reviewed the file herein and being otherwise advised in the premises;

IT IS HEREBY ORDERED the State Board, through Gayle R. Stewart, Staff Attorney, shall hold a scheduling conference at **10:00 a.m., March 21, 2012**, in Room 1722, State Board Room, Herschler Building, Cheyenne, Wyoming. Any party desiring to appear by telephone may do so by notifying the Board in writing not later than two business days before the scheduled hearing date. Any party appearing by telephone shall place a call to **307-777-7325** at which time the Hearing Officer will be available and the scheduling conference shall commence.

IT IS FURTHER ORDERED Petitioner shall on or before **February 20, 2012** and the Department of Revenue shall on or before **March 6, 2012**, pursuant to *Rules Chapter 2 § 10, State Board of Equalization*, file with the Board (**original and four copies**) and serve on all other parties, the preliminary statement setting forth:

1. A brief summary of the contentions of the parties;
2. Significant uncontroverted facts about which there is no genuine issue which may be established by admission or stipulation;
3. Contested issues of fact;
4. Contested issues of law to be (a party may include memorandum on significant legal issues at their option);
5. An initial indication of the names, addresses, and a brief description of the testimony of each witness the party intends to present at the hearing;

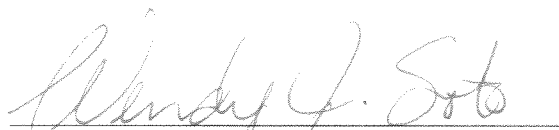
6. An initial exhibit list;
7. The amount of the tax assessment or refund denial, and the amount of tax in controversy;
8. Any request to convert the case to an expedited case pursuant to *Rules Chapter 2 § 15, State Board of Equalization*;
9. An assessment of the probability of settlement; and
10. An estimate of the time required for the hearing.

Dated this 19th day of January, 2012.

STATE BOARD OF EQUALIZATION


Steven D. Olmstead, Chairman

ATTEST:

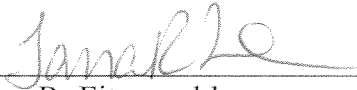

Wendy J. Soto, Executive Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of January, 2012, I served the foregoing **SCHEDULING CONFERENCE ORDER** by placing a true and correct copy thereof in the United States Mail, postage prepaid, and properly addressed to the following:

Walter F. Eggers, III, PC
Lawrence J. Wolfe, PC
Holland & Hart LLP
PO Box 1347
Cheyenne WY 82003-1345

William F. Russell
Senior Assistant Attorney General
2424 Pioneer Street, 3rd Floor
Cheyenne WY 82002



Jana R. Fitzgerald
Executive Assistant
State Board of Equalization
P.O. Box 448
Cheyenne, WY 82003
Phone: (307) 777-6989
Fax: (307) 777-6363

cc: State Board of Equalization
Craig Grenvik, Mineral Tax Division, Department of Revenue
ABA State and Local Tax Reporter