

March 12, 2024

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**Re: In the Matter of the NorthMet Project Permit to Mine Application, OAH 60-  
2004-37824**

Dear Counsel,

I am in receipt of your letter dated March 11, 2024, in which the parties to the above-captioned matter have jointly requested to use an alternative citation format for certain documents within the administrative record. Specifically, you have provided two folders titled “Hearing Exhibits” and “Corrected Hearing Transcripts (Vol. 1-5)” (collectively, “Parties’ Referenced Record Documents”) by flash drive and DropBox. The parties have not indicated that the Official Record, as relayed by the Administrative Law Judge (“ALJ”) to the Commissioner on November 28, 2023, and provided to the parties on February 8, 2024, is incomplete or inaccurate. Accordingly, it is my understanding that all the Parties’ Referenced Record Documents are duplicates of documents contained in the Official Record. Please let me know if my understanding is not correct.

Your request to cite to the Parties’ Referenced Record Documents in the format you have recommended in your March 11, 2024 letter is granted for the parties’ convenience in the preparation and submission of their upcoming exceptions and argument briefs. Any document so cited, however, will not be treated as an addition or supplement to the Official Record. Moreover, I reserve the right to compare any document cited in the parties’ briefs with the documents contained in the Official Record. To the extent any discrepancy exists between the Parties’ Referenced Record Documents and the documents contained in the Official Record, I will rely on the documents in the Official Record. Moreover, the final agency decision issued by me will use citations to the Official Record documents as explained in my letter of February 8, 2024.

Sincerely,

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