

## NOTICE OF INFORMAL FACT FINDING HEARING

**In regard to CNX Gas Company LLC.  
Proposed Permits for New Gas Operations  
Application 11908 (CBM BA138 w/pipeline)  
Located in the Maiden Springs District of Tazewell County, Virginia**

**Docket Number IFFH 22008**

This notice is in regard to a second IFFH for this subject, following the Director's decision from October 29, 2008, and an Appeal of Decision and request for Re-Hearing before the Virginia Gas and Oil Board made November 24, 2008. Because of testimony before the Virginia Gas and Oil Board, the Board remanded this case to a new Informal Fact Finding Hearing and directed the Director to re-hear existing and new evidence.

In accordance with §45.1-361.35.H. of the Code of Virginia, the Director of the Division of Gas and Oil has scheduled an Informal Fact Finding Hearing to consider **an objection** received from **Erma Joyce Goff**, owner of coal, surface, oil and gas of lands to be affected by the above-named operation. The **objection by the owner was** received at the Division of Gas and Oil in a timely manner in accordance with § 45.1-361.35.A. This notice of hearing is being sent to the permit applicant and to all parties with standing to object as prescribed by §45.1-361.30. All parties are entitled to be represented by counsel at the hearing, if desired.

An objection has been filed by the Coal, Surface, Gas and Oil Owner against the permit application for **CNX Gas Company LLC. Gas Operations CBM BA138 w/pipeline** in accordance with § 45.1-361.35

**Date and location of Conference:** The conference is scheduled for **Friday, August 7, 2009**, at **9:00 AM** in the conference room of the Division of Gas and Oil, 135 Highland Drive, Lebanon Virginia in the Russell County Government Center Complex. Contact the Division at (276) 415-9700 with any questions. Specific directions are also available at the Department of Mines, Minerals and Energy – Division of Gas and Oil website: <http://www.dmme.virginia.gov/divisiongasoil.shtml>.

The re-hearing of IFFH **22008** is to be conducted according to provisions of the Administrative Processes Act of the Code of Virginia (§ 2.2-4019). In reaching a decision, the Director may rely upon any public data, documents or information.

This notice was prepared on July 28, 2009, and is being sent by certified mail, return receipt requested, to every person with standing to object as prescribed by § 45.1-361.30.

David E. Asbury Jr., Director  
Virginia Division of Gas and Oil  
Department of Mines, Minerals and Energy  
P.O. Box 159  
Lebanon, VA 24266