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U.S. HOUSE OF REPRESENTATIVES

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August 27, 2007

VIA FACSIMILE-216-765-2654

Michael McKown, Esq.
General Counsel
Murray Energy Corporation
29325 Chagrin Boulevard, Suite 300
Cleveland, Ohio 44122-4600

Dear Mr. McKown:

The recent tragic events at the Crandall Canyon Mine in Utah, which is operated by UtahAmerican Energy, Inc., a subsidiary of Murray Energy Corporation, raise many troubling questions. Specifically, I am concerned about the safety of the mining operation at Crandall Canyon and the stewardship of mine operations by UtahAmerican Energy, Inc. and Murray Energy Corporation leading up to the structural failure that resulted in the entrapment of six miners on August 6, 2007.

As the Chairman of the Committee with oversight of the Mine Safety and Health Administration and mine worker safety issues, I respectfully request that Murray Energy Corporation provide documents relevant to our investigation of the events at Crandall Canyon Mine. As you will see from the enclosed list of documents and information sought, I request documents and information related to Murray Energy Corporation's planning and operation of the Crandall Canyon Mine.

I have enclosed supplemental instructions to facilitate your fulfillment of these requests. Please respond to me in writing with your plans to comply with this request within three days of receiving this letter. You may coordinate the production of the requested documents with Michael Zola, the Committee's Chief Investigative Counsel at (202) [REDACTED]. I look forward to your prompt response.

Sincerely,


GEORGE MILLER
Chairman

cc: Senior Republican Member Howard "Buck" McKeon

Enclosures: Documents and Information Requested
Information Request Supplemental Instructions

Documents and Information Requested

Please provide copies of the following documents:

1. All documents relating to the lease of the Crandall Canyon Mine (the "Mine") property and mining rights, including the lease and any subsequent amendments or renewals entered into with the U.S. Bureau of Land Management.
2. All documents relating to the Mine's mining plan filed with the Mine Safety and Health Administration ("MSHA"), including any amendments, modifications or petitions for change, and all internal correspondence regarding the same.
3. All documents relating to any engineering studies and reports created by Agapito Associates, Inc., or other consultants; relating to the Mine, including any reports themselves and any communication concerning such reports.
4. All documents relating to the safety of the Mine, including all weekly reports submitted to the CEO of Energy Corporation ("Murray Energy").
5. All documents regarding the acquisition of the Mine, including internal correspondence and all transaction-related documents held by Andalex Resources, Inc. prior to and after its acquisition by Murray Energy.
6. All documents reflecting communications with the Utah Division of Oil, Gas and Mining ("OGM") related to the Mine, including all license applications filed with OGM.
7. All pre-shift and on-shift exam books.
8. All documents that reflect communications between any employee or officer of Murray Energy and all subsidiaries thereof on the one hand and any official or employee of the U.S. Department of Labor and all subdivisions thereof (including MSHA) on the other hand since January 1, 2001.
9. All documents that reflect communications to or from miners or other employees of Murray Energy working at the Mine regarding safety conditions at the mine, including all such documents relating to meetings between Mine management and miners or other employees regarding safety conditions at the Mine.
10. All documents that reflect statements made by Mine managers or officers of Murray Energy to employees or stockholders regarding safety conditions at the Mine.

Please produce the following requested information:

1. The identity and contact information of all miners or other employees who requested transfer from the Mine, including dates and reason if given, and the current employment status of each such individual.
2. The identity and contact information of all miners or other employees who were working in the Mine at the time of the August 6 Incident.
3. The identity and employment affiliation of everyone involved in the rescue efforts subsequent to the August 6 Incident and the role they played.

Information Requests Supplemental Instructions

In responding to the information request from the Committee on Education and Labor, please apply the instructions and definitions set forth below.

Instructions

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Records, documents, data or information called for by this request should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committees.
2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
3. Each document produced should be produced in a form that renders the document capable of being copied.
4. When you produce documents, you should identify to which paragraph in the Committee's request the documents respond.
5. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by any matter prior to production.
6. Each folder and box should be numbered, and a description of the contents of each folder and box, including the request number to which the documents are responsive, should be provided in an accompanying index.
7. It is not a proper basis to refuse to produce a document that any other person or entity also possesses a non-identical or identical copy of the same document.
8. If any of the requested information is stored in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer backup tape), you should consult with Committee staff to determine the appropriate format in which to produce the information.
9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.
10. In the event that a responsive document is withheld on any basis, you should provide the following information concerning the document: (a) the reason the document is not being produced; (b) the type of document; (c) the general subject matter; (d) the date, author, and addressee; and (e) the relationship of the author and addressee to each other.
11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and

explain the circumstances by which the document ceased to be in your possession, custody, or control.

12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
13. This request is continuing in nature and applied to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be bates-stamped sequentially and produced sequentially.
15. Two sets of documents should be delivered to Longworth 1107 to the Attention of Michael C. Zola.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voicemails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs memory sticks, and recordings) and other written, printed typed, or other graphic or recorded matter of any kind of nature, however or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft of non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

4. The terms “person” or “persons” means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches and other units thereof.
5. The terms “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.