



Navajo Nation Proposes to Purchase BHP Navajo Coal Company

In a unique transaction in Indian Country, BHP Billiton New Mexico Coal, Inc. (BHP) is considering selling the BHP Navajo Coal Company (BNCC), which owns and operates the Navajo Mine, to the Navajo Transitional Energy Co. LLC (NTEC), a tribally owned entity organized under the Navajo Nation's Limited Liability Act. The sale of the Navajo Mine is tentatively scheduled to be finalized in July 2013. NTEC proposes to purchase 100% of the ownership interest of BNCC and then merge the two companies; and the surviving company will be known as NTEC. Mine operations should continue unimpeded after the sale is complete. NTEC and a BHP subsidiary, BHP Billiton Mine Management Company, plan to contract for that entity to manage Navajo Mine until the end of 2016.

For more information on this transaction, please contact [Walter E. Stern](mailto:Walter.E.Stern@modrall.com) at western@modrall.com or [Meg L. Meister](mailto:Meg.L.Meister@modrall.com) at mlm@modrall.com.

