

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

1730 K STREET NW, 6TH FLOOR
WASHINGTON, D.C. 20006

January 25, 1996

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA)

v.

L&J ENERGY COMPANY, INC.

:
:
:
:
:
:
:

Docket No. PENN 93-15

BEFORE: Jordan, Chairman; Doyle, Holen, Marks and Riley, Commissioners

ORDER

BY THE COMMISSION:

The Secretary of Labor has filed a motion for reconsideration of the Commission's January 11, 1996, denial of the petition for discretionary review previously filed by L&J Energy Company, Inc. ("L&J"). L&J supports the Secretary's motion and requests oral argument. Upon review of the parties' submissions, the Secretary's motion is granted in part. Review is directed only as to issue IV set forth in L&J's petition. Briefing is stayed pending further order of the Commission and the request for oral argument is denied.

Mary Lu Jordan, Chairman

Joyce A. Doyle, Commissioner

Arlene Holen, Commissioner

Marc Lincoln Marks, Commissioner

James C. Riley, Commissioner