CLOUD PEAK ENERGY®

File Number S7-10-16

September 22, 2016

The Honorable Brent J. Fields
Secretary
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-1090

RE: SEC Proposed Rule for Modernization of Property Disclosure Requirements for Mining Registrants (File Number S7-10-16)

Dear Mr. Fields:

Cloud Peak Energy Inc. ("Cloud Peak" or the "Company") appreciates the opportunity to submit our comments regarding the Securities and Exchange Commission's (SEC) proposed rule to modernize property disclosure requirements for mining registrants. Cloud Peak has been a public company since 2009 and is traded on the New York Stock Exchange under the ticker symbol "CLD".

Cloud Peak is headquartered in Wyoming and is one of the largest U.S. coal producers and the only pure-play Powder River Basin (PRB) coal company. As one of the safest coal producers in the nation, Cloud Peak mines low sulfur, subbituminous coal and provides logistics supply services. The Company owns and operates three surface coal mines in the PRB, the lowest cost major coal producing region in the nation.

General Comments on Proposed Rule

- Since the proposed rule changes appear to be driven by reserve disclosure globalization efforts, we believe the SEC should adopt mining disclosure standards based on the Committee for Mineral Reserves International Reporting Standards (CRIRSCO), rather than developing a hybrid version based on CRIRSCO, Joint Ore Reserves Committee (JORC) and National Instrument (NI 43-101).

- Regarding economic viability in determining reserves, the requirement to use a 24 month trailing average for coal price forecasts is too narrow and not practical, as prices are too volatile and this narrow historical range does not account for the long term nature of coal mining operations. It would be impractical and confusing for investors to be switching back and forth annually between including coal as a reserve one year, only to exclude it the following year. There also appears to be allowance for any "justifiable price" which may provide a more appropriate alternative but should be further explained in the final rule change.

- The proposed changes seem to focus on the ability to "enhance disclosure to investors", but no consideration seems to be given to protecting proprietary information/trade

CLOUD PEAK ENERGY RESOURCES LLC | 505 South Gillette Avenue (82716) | PO Box 3009 | Gillette, WY 82717-3009
T+1 307 687 6000 | F+1 307 687 6015 | www.cloudpeakenergy.com

secrets/confidential information that lead to competitive advantages. This is an issue in any industry that includes both publicly traded and privately held competitors, which is often the case. In addition, due to the downturn in the coal industry, several former public coal companies have filed for bankruptcy and may emerge as private entities, having no reserve reporting requirements. Any remaining public companies, like Cloud Peak, would then be at a significant competitive disadvantage due to the comprehensive technical information and reports that are required to be made public in the proposed rule. At the same time, we do not believe this additional comprehensive technical information will in fact be helpful to investors. In our view, this information is very granular in nature and will serve only to confuse investors. Moreover, the assembly and presentation of this information, especially at the tract level for disclosure proposed by the SEC, will cause issuers to incur extremely significant costs to comply. Therefore, we submit that the SEC should eliminate any requirements in the final rule to include such disclosures.

- Disclosure of exploration results would nullify the participation now seen in exploration programs that occur adjacent to a competitor's properties or in another area of interest for potential development by a competitor. The competitor would simply wait until the proposed reserve disclosure is made public and collect and use the information without any investment required. With respect to coal deposits on federal land,, rules do not currently require the public disclosure by coal companies of exploration results. This information is already reviewed by the Bureau of Land Management (BLM), and disclosure would remove future competitive advantages gained by the information provided by an exploration program. For these reasons, the disclosure of exploration results should be left to the discretion of the registrant.

- As proposed "the qualified person would be subject to liability as an expert for any untrue statement or omission of a material fact contained in the technical report summary". However, the qualified person must rely on needed experts in their fields for which he/she is not qualified in. The thought of multiple designated qualified persons in every field of expertise is unrealistic and costly. The disclosure liability should be placed on the registrant and not the individual qualified persons.

- Summary disclosures and accompanying tables should be left to the discretion of the registrant and/or as long as the disclosures follow an existing global standard (i.e. JORC, NI 43-101, CRIRSCO).

- For a coal deposit, a calculated confidence level based on geostatistical results is not necessary. The confidence level section should not be required for coal deposits because of the definitions of the resource and reserve classifications. Qualitative assessment of confidence levels supported by historic coal recovery at the mining operation(s) is sufficient.

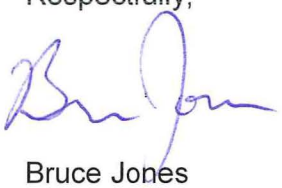
- The USGS Circular 831 and 891 should be retained for coal deposits as they are still a valid tool in classifying coal deposits.

- According to the SEC proposed changes, technical summaries prepared by the qualified person must include grade cutoffs. Additional clarification in the final rule must be

supplied for typical surface coal operations, which should include quality cutoffs and coal and overburden thickness (strip ratio) cutoffs.

Cloud Peak would like to thank you for this opportunity to submit our comments regarding the Securities and Exchange Commission's (SEC) proposed rule to modernize property disclosure requirements for mining registrants.

Respectfully,



Bruce Jones
Senior Vice President, Technical Services