



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Director
Bureau of Competition

AUG 21 2009

Roxanne Henry
Howrey L.L.P.
1299 Pennsylvania Ave., N.W.
Washington, D.C. 20004-2402

Re: The proposed acquisition by Arch Coal, Inc. of Jacobs Ranch LLC from Rio Tinto plc, File No. 0910078

Dear Ms. Henry:

The Federal Trade Commission's Bureau of Competition has been conducting a non-public investigation to determine whether the proposed acquisition by Arch Coal, Inc. of Jacobs Ranch LLC from Rio Tinto plc may violate Section 7 of the Clayton Act or Section 5 of the Federal Trade Commission Act.

Upon further review of this matter, it now appears that no additional action is warranted by the Commission at this time. Accordingly, pursuant to authority delegated by the Commission, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard A. Feinstein".

Richard Feinstein
Director