

CLOUD PEAK ENERGY INC.
Form 3
November 19, 2009

FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

OMB APPROVAL

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INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section
30(h) of the Investment Company Act of 1940

(Print or Type Responses)

| | | | | |
|---|---------|--|---|--|
| 1. Name and Address of Reporting Person * | | 2. Date of Event Requiring Statement | 3. Issuer Name and Ticker or Trading Symbol | |
| Â RIO TINTO PLC | | (Month/Day/Year) | CLOUD PEAK ENERGY INC. [CLD] | |
| (Last) | (First) | 11/19/2009 | | |
| 2 EASTBOURNE TERRACE,Â | | 4. Relationship of Reporting Person(s) to Issuer | | 5. If Amendment, Date Original Filed(Month/Day/Year) |
| (Street) | | (Check all applicable) | | |
| LONDON,Â X0Â W2 6LG | | <input checked="" type="checkbox"/> Director <input checked="" type="checkbox"/> 10% Owner | | 6. Individual or Joint/Group Filing(Check Applicable Line) |
| (City) | (State) | (Zip) | <input type="checkbox"/> Officer <input type="checkbox"/> Other | |
| | | (give title below) (specify below) | | <input type="checkbox"/> Form filed by One Reporting Person |
| | | | | <input checked="" type="checkbox"/> Form filed by More than One Reporting Person |

Table I - Non-Derivative Securities Beneficially Owned

| | | | |
|---------------------------------|---|--|---|
| 1. Title of Security (Instr. 4) | 2. Amount of Securities Beneficially Owned (Instr. 4) | 3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5) | 4. Nature of Indirect Beneficial Ownership (Instr. 5) |
|---------------------------------|---|--|---|

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

SEC 1473 (7-02)

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| | | | | | |
|--|--|---|--|---|---|
| 1. Title of Derivative Security (Instr. 4) | 2. Date Exercisable and Expiration Date (Month/Day/Year) | 3. Title and Amount of Securities Underlying Derivative Security (Instr. 4) | 4. Conversion or Exercise Price of Derivative Security | 5. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 5) | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
| | Date Exercisable | Expiration Date | | | |
| | | Title | Amount or Number of Shares | | |

| | | | | | | | |
|-------------------------|-------|-------|---|------------|--------|-------|------------------|
| Common Membership Units | Â (1) | Â (1) | Common Stock of Cloud Peak Energy Inc., par value \$.01/share | 60,000,000 | \$ (1) | I (2) | See footnote (2) |
|-------------------------|-------|-------|---|------------|--------|-------|------------------|

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|---|---------------|-----------|---------|-------|
| | Director | 10% Owner | Officer | Other |
| RIO TINTO PLC 2 EASTBOURNE TERRACE LONDON,Â X0Â W2 6LG | Â X | Â X | Â | Â |
| RIO TINTO EUROPEAN HOLDINGS LTD 2 EASTBOURNE TERRACE LONDON,Â X0Â W2 6LG | Â X | Â X | Â | Â |
| RIO TINTO WESTERN HOLDINGS LTD 2 EASTBOURNE TERRACE LONDON,Â X0Â W2 6LG | Â X | Â X | Â | Â |
| RIO TINTO AMERICA HOLDINGS INC 100 QUENTIN ROOSEVELT BOULEVARD GARDEN CITY,Â NYÂ 11530 | Â X | Â X | Â | Â |
| RTAH LLC P.O. BOX 3009 505 SOUTH GILLETTE AVENUE GILLETTE,Â WYÂ 82717-3009 | Â X | Â X | Â | Â |
| RIO TINTO AMERICA INC 3595 S 8309 W MAGNA,Â UTÂ 84044 | Â X | Â X | Â | Â |
| RIO TINTO ENERGY AMERICA INC 505 SOUTH GILLETTE AVENUE GILLETTE,Â WYÂ 82717-3009 | Â X | Â X | Â | Â |
| KENNECOTT MANAGEMENT SERVICES CO P.O. BOX 3009 505 SOUTH GILLETTE AVENUE GILLETTE,Â WYÂ 82717-3009 | Â X | Â X | Â | Â |

Signatures

/s/ Jim Berson, Attorney-in-Fact, RIO TINTO PLC

11/17/2009

__Signature of Reporting Person

Date

/s/ Jim Berson, Attorney-in-Fact, RIO TINTO EUROPEAN HOLDINGS LIMITED

11/17/2009

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| <u>Signature of Reporting Person</u> | Date |
|---|------------|
| /s/ Jim Berson, Attorney-in-Fact, RIO TINTO WESTERN HOLDINGS LIMITED | 11/17/2009 |
| <u>Signature of Reporting Person</u> | Date |
| /s/ Jim Berson, Attorney-in-Fact, RIO TINTO AMERICA HOLDINGS INC. | 11/17/2009 |
| <u>Signature of Reporting Person</u> | Date |
| /s/ Jim Berson, Attorney-in-Fact, RTAH LLC | 11/17/2009 |
| <u>Signature of Reporting Person</u> | Date |
| /s/ Jim Berson, Attorney-in-Fact, RIO TINTO AMERICA INC. | 11/17/2009 |
| <u>Signature of Reporting Person</u> | Date |
| /s/ Jim Berson, Attorney-in-Fact, RIO TINTO ENERGY AMERICA INC. | 11/17/2009 |
| <u>Signature of Reporting Person</u> | Date |
| /s/ Jim Berson, Attorney-in-Fact, KENNECOTT MANAGEMENT SERVICES COMPANY | 11/17/2009 |
| <u>Signature of Reporting Person</u> | Date |

Explanation of Responses:

- * If the form is filed by more than one reporting person, *see* Instruction 5(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) For text of Footnote 1, see Exhibit 99.1.
- (2) For text of Footnote 2, see Exhibit 99.1.

Â

Remarks:

PrestonÂ ChiaroÂ servesÂ onÂ theÂ boardÂ ofÂ directorsÂ ofÂ theÂ IssuerÂ andÂ isÂ theÂ GroupÂ Executive,Â Technol
Â Tinto.Â Â AsÂ aÂ result,Â theÂ ReportingÂ OwnersÂ mayÂ beÂ deemedÂ directorsÂ ofÂ theÂ IssuerÂ byÂ deputization

ExhibitÂ List

ExhibitÂ 24Â -Â PowersÂ ofÂ Attorney

ExhibitÂ 99.1Â -Â TextÂ ofÂ FootnoteÂ 1Â andÂ FootnoteÂ 2.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.