

CLOUD PEAK ENERGY INC.  
Form 8-K  
December 23, 2010

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, DC 20549

**FORM 8-K**

**CURRENT REPORT PURSUANT**  
**TO SECTION 13 OR 15(D) OF THE**  
**SECURITIES EXCHANGE ACT OF 1934**

Date of report (Date of earliest event reported) **December 21, 2010**

**Cloud Peak Energy Inc.**

(Exact Name of Registrant as Specified in Its Charter)

**Delaware**

(State or Other Jurisdiction of Incorporation)

**001-34547**  
(Commission File Number)

**26-3088162**  
(IRS Employer Identification No.)

**505 S. Gillette Ave.**  
**Gillette, WY**  
(Address of Principal Executive Offices)

**82716**  
(Zip Code)

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(307) 687-6000

(Registrant's Telephone Number, Including Area Code)

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

(b) On December 21, 2010, Mr. Preston Chiaro, a non-independent member of the Board of Directors (the Board) of Cloud Peak Energy Inc. (Cloud Peak Energy) and Group Executive, Technology & Innovation, of Rio Tinto, informed Cloud Peak Energy of his resignation from the Board in light of the recently completed secondary offering of Cloud Peak Energy common stock on behalf of selling shareholders Rio Tinto Energy America Inc. and its affiliate. That secondary offering, including the exercise in full of the underwriters' over-allotment option, closed on December 21, 2010 and resulted in the divestment of 100 percent of Rio Tinto's holdings in Cloud Peak Energy. Mr. Chiaro's resignation will be effective on January 5, 2011.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

CLOUD PEAK ENERGY INC.

By:                    /s/ Amy J. Stefonick  
Name:                   Amy J. Stefonick  
Title:                   Corporate Secretary

Date: December 23, 2010