

Binek, William W.

From: Binek, William W.
Sent: Wednesday, May 14, 2008 3:24 PM
To: -Grp-PSC Commissioners
Cc: -Grp-PSC Legal
Subject: FW: David Wisdom Railroad Crossing, Case No. RR-08-131

I just had a call from BNSF's attorney Stephen Plambeck advising me that BNSF will be putting in a crossing for David Wisdom. He said that it is his understanding that BNSF is working out some details with David Wisdom regarding restricting the use of the crossing to farm operations because the railroad does not want to have the crossing used as a public crossing. He does not anticipate there will be any problem resolving that issue.

William W. Binek
Chief Counsel
ND Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck ND 58505-0480
Phone: 701-328-4088
Fax: 701-328-2410
wbinék@nd.gov

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From: Binek, William W.
Sent: Tuesday, May 13, 2008 1:09 PM
To: -Grp-PSC Commissioners
Cc: -Grp-PSC Legal
Subject: David Wisdom Railroad Crossing, Case No. RR-08-131

I received a call from Casey Chapman advising that the railroad has been in contact with he and David wisdom about putting in the crossing. Casey said they are still working with BNSF regarding insurance and liability requirements, and he asked if the PSC could be involved with that. I advised Casey that I thought that was a civil matter that would have to be resolved by a court if the parties could not agree. Casey said he was optimistic that they will be able to work it out with BNSF.

William W. Binek
Chief Counsel
ND Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck ND 58505-0480
Phone: 701-328-4088
Fax: 701-328-2410
wbinék@nd.gov

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Installation of Railroad Crossing