



JOHN RISCH
North Dakota Legislative Director

**united
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union**

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November 13, 2008

RECEIVED

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PUBLIC SERVICE COMMISSION

Ms. Annette Bendish
Public Service Commission
State of North Dakota
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

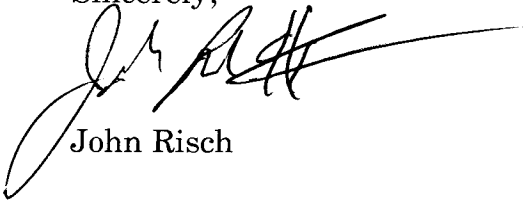
Dear Ms. Bendish,

Thank you for your letter dated October 28 concerning a request for a rail clearance variance at Ray Farmers Union Elevator.

The UTU would like to go on record as stating that we do not object to the request for a 3-¾ inch rail clearance located near the top of a rail car. We don't object because, unlike in the past, today's rail workers almost never ascend to the top of rail cars. We are most concerned with the rail clearance in the first ten feet off the ground.

Thanks so much for alerting us about this request.

Sincerely,



John Risch