

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**BNSF Railway Company
Review of Private Railroad Crossings
Application**

Case No. RR-09-651

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

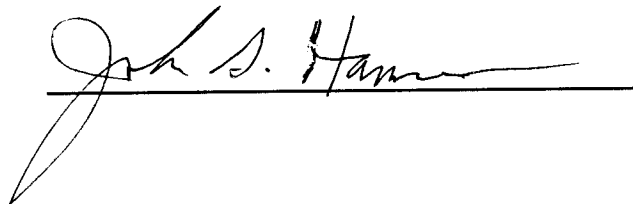
John Hamre deposes and says that:
he is over the age of 18 years and not a party to this action and on the **19th day of October, 2009** he deposited in the United States Mail, Bismarck, North Dakota, 1 envelope by regular mail, with postage fully prepaid, securely sealed and containing a photocopy of:

Notice of Hearing

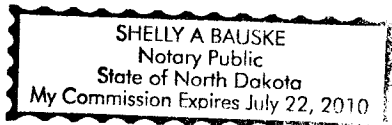
The envelope was addressed as follows:

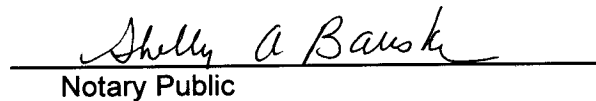
Jim Styron
Transportation Project Manager
North Dakota Department of
Transportation
608 E. Blvd. Ave.
Bismarck, ND 58505

To the best of affiant's knowledge the address shown is the respective addressee's last reasonably ascertainable address.



Subscribed and sworn to before me
this **19th day of October, 2009**





Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**BNSF Railway Company
Review of Private Railroad Crossings
Application**

Case No. RR-09-651

NOTICE OF HEARING

October 14, 2009

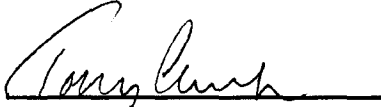
On September 16, 2009, BNSF Railway Company filed an application requesting the Commission review seven private railroad crossings in North Dakota and asked the Commission to issue an order determining whether audible devices warning of a train's approach will be sounded at these crossings under North Dakota Century Code section 49-11-21, effective after December 31, 2009.

A **Public Hearing** on the application is scheduled to begin **December 1, 2009 at 10:00 a.m.** in the **Commission Hearing Room, State Capitol, 12th Floor, 600 E Boulevard Ave, Bismarck, North Dakota.** The issues to be considered are:

1. Whether the railroad should sound a warning device at private crossing, DOT # 086644R at Crary based on the safety concerns of the public.
2. Whether the railroad should sound a warning device at private crossing, DOT # 093009S at Erie based on the safety concerns of the public.
3. Whether the railroad should sound a warning device at private crossing, DOT # 093032L at Page based on the safety concerns of the public.
4. Whether the railroad should sound a warning device at private crossing, DOT # 093533R at Heimdal based on the safety concerns of the public.
5. Whether the railroad should sound a warning device at private crossing, DOT # 081545B at Williston based on the safety concerns of the public.
6. Whether the railroad should sound a warning device at private crossing, DOT # 087697T at Mandan based on the safety concerns of the public.
7. Whether the railroad should sound a warning device at private crossing, DOT # 087513R at Hebron based on the safety concerns of the public.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner