



OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF NORTH DAKOTA
1707 North 9th Street
Bismarck, North Dakota 58501-1882

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October 20, 2009

RECEIVED

OCT 23 2009

PUBLIC SERVICE COMMISSION

Annette Bendish
Legal Counsel
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Ms. Bendish:

Thank you for your October 16, 2009, request of the designation of an administrative law judge from the Office of Administrative Hearings to conduct a hearing in the matter of BNSF Railway Company RR-09-651. I hereby designate Bonny M. Fetch to be assigned as an administrative law judge to conduct the hearing in regard to this matter. Because the administrative law judge will not be making recommended findings of fact and conclusions of law, or issuing a recommended order, the person or persons who will be making the final administrative decision in regard to this matter (*i.e.*, the commission) must be in attendance at the hearing.

Please send all additional relevant documents (correspondence, and other pleadings and documents) to the designated administrative law judge in care of the Office of Administrative Hearings, 1707 North 9th Street, Bismarck, North Dakota 58501-1882. I understand the hearing is scheduled for December 1, 2009, beginning at 10:00 a.m., in the Commission Hearing Room at the State Capitol in Bismarck, North Dakota. Because the administrative law judge is requested to conduct the hearing only, the agency must give proper notice of the hearing.

Your request has been assigned OAH File No. 20090336. Please include this number on all future documents and correspondence filed for this matter with the Office of Administrative Hearings.

Sincerely,

Allen C. Hoberg
Director

ACH/lmw

cc: Stephen W. Plambeck, counsel for BNSF Railway Company