

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

Case No. RR-10-26

NOTICE OF HEARING

January 27, 2010

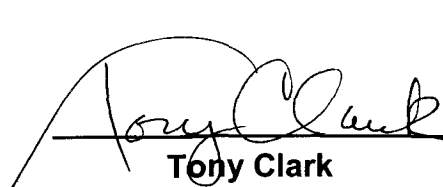
On January 8, 2010, BNSF Railway Company filed an application requesting the Commission review the Fraine Barracks railroad crossing in Bismarck, North Dakota and asked the Commission to issue an order under North Dakota Century Code section 49-10.1-21 determining whether this crossing is a public or private railroad crossing, and if private, if audible devices warning of a train's approach will be sounded at this crossing under North Dakota Century Code section 49-11-21.


A **public hearing** on the application is scheduled to begin **March 1, 2010 at 1:30 p.m.** in the **Brynild Haugland Room, Ground Floor, State Capitol, 600 E Boulevard Ave, Bismarck, North Dakota.** The issues to be considered are:

1. Whether the Fraine Barracks railroad crossing (DOT # 087680P) is a public or private railroad crossing as defined by section 49-11-00.1.
2. If the Fraine Barracks railroad crossing (DOT # 087680P) is a private crossing, whether the railroad should sound a warning device 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.

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