

Hamre, John G.

From: Hamre, John G.
Sent: Thursday, January 28, 2010 11:46 AM
To: colleen@ndna.com
Cc: -Grp-PSC Legal
Subject: Publication Request - PSC Case No. RR-10-26
Attachments: RR-10-26 Notice of Hearing.doc

Colleen
North Dakota Newspaper Association

Please have the attached Notice of Hearing published one time as a legal publication in the next issue of the following newspapers:

Mandan News
The Bismarck Tribune

Do not publish in the classifieds. Please run it as a "News Item Only" article as well.

Send the bill to the Public Service Commission along with a tear sheet for billing purposes.

Please confirm via email that you received this request.

If you have any questions or cannot open the file, please call me at 328-4279 or email.

Thank you.

John

John G. Hamre
ND Public Service Commission
328-4279

**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 **Brynhild 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.

PUBLIC SERVICE COMMISSION

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