



**OFFICE OF ADMINISTRATIVE HEARINGS**

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

Allen C. Hoberg  
DIRECTOR

701-328-3260  
Fax 701-328-3254  
oah@nd.gov  
www.nd.gov/oah

January 29, 2010

**RECEIVED**

FEB 01 2010

**PUBLIC SERVICE COMMISSION**

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

Dear Ms. Bendish:

Thank you for your January 28, 2010, 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-10-26. 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 March 1, 2010, beginning at 1:30 p.m., in the Brynhild Haugland Room, in the State Capitol. 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. 2010-0036. 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

10 RR-10-26 Filed: 2/1/2010 Pages: 1  
**Letter Designating Bonny Fetch as Administrative Law Judge**

Office of Administrative Hearings

Allen C. Hoberg

cc: Stephen W. Plambeck, counsel for BNSF Railway Company  
Bonny M. Fetch, Administrative Law Judge