

**Hamre, John G.**

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**From:** Hamre, John G.  
**Sent:** Wednesday, October 20, 2010 4:53 PM  
**To:** colleen@ndna.com  
**Cc:** Jeffcoat-Sacco, Illona  
**Subject:** RE: Publish Notice for ND PSC - Case No. RR-10-26  
**Attachments:** RR-10-26 Notice of Hearing.docx

Colleen,

There may have been a problem with opening the attachment sent on the first email.

Please use the attached.

Thanks,  
John

**From:** Hamre, John G.  
**Sent:** Wednesday, October 20, 2010 4:48 PM  
**To:** [colleen@ndna.com](mailto:colleen@ndna.com)  
**Cc:** Jeffcoat-Sacco, Illona  
**Subject:** Publish Notice for ND PSC - Case No. RR-10-26

Colleen,

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

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Do not publish in the classifieds.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**

**October 20, 2010**

On May 18, 2010, the North Dakota Public Service Commission issued an Order stating that the Fraine Barracks railroad crossing in Bismarck, ND, would be a private crossing after certain modifications were made to the crossing. The Order also stated that audible devices warning of a train's approach should not be sounded at this crossing after the specified modifications to this crossing have been made, unless an exception under North Dakota Century Code Section 49-11-21 applies. The Commission is reopening the record in this case to incorporate relevant evidence regarding the crossing arising subsequent to May 18, 2010.

A **public hearing** on this case is scheduled to begin **November 29, 2010 at 1:30 p.m.** in the **Public Service Commission Hearing Room, 12th Floor, State Capitol, 600 E Boulevard Ave, Bismarck, North Dakota.** The issues to be considered are:

1. What modifications have been made to the Fraine Barracks crossing?
2. Whether modifications made to the Fraine Barracks crossing are sufficient to comply with the Commission's May 18, 2010 Order supporting a determination that the Fraine Barracks crossing is a private crossing?
3. Whether the railroad should discontinue sounding a warning device at the Fraine Barracks crossing, unless an exception under N.D.C.C. Section 49-11-21 applies?

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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**Tony Clark  
Commissioner**

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**Kevin Cramer  
Chairman**

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**Brian P. Kalk  
Commissioner**