



**OFFICE OF ADMINISTRATIVE HEARINGS**

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

Allen C. Hoberg  
DIRECTOR

March 3, 2010

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**RECEIVED**

MAR 04 2010

**PUBLIC SERVICE COMMISSION**

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

Re: BNSF Railway Company  
Case RR-10-27 (Manvel Crossings)  
OAH File No. 20100035

Dear Ms. Bendish:

On March 1, 2010, I presided as a procedural administrative law judge at the hearing in the matter of an application from BNSF Railway Company to review two private railroad crossings near Manvel, North Dakota. The hearing is closed. Accordingly, I am closing our file on this matter and returning that portion of the record I have in my possession to you.

I have enclosed a list of the individuals who were present at the hearing, the witnesses who testified at the hearing (Marc Halvorson and Ron Huff), a list of the exhibits admitted into the record, and the exhibits. Also enclosed is a letter from Keith Borgerson, which was offered by Marc Halvorson. The letter was not admitted as an exhibit, but the Commission may give consideration and assign appropriate weight, if any, to the letter when the Commission makes its decision. Also enclosed are copies of documents that have been transmitted to us, as well as originals and copies of documents received while the file was in our possession, for filing with the official agency record of this matter. If you have any questions, please let me know.

Thank you for your attention to this matter.

Sincerely,

Bonny M. Fetch  
Administrative Law Judge

BMF/lmw

Encl.

Cc: Stephen Plambeck, counsel for BNSF Railway Company