



Public Service Commission
State of North Dakota

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March 18, 2011

John Risch
United Transportation Union
750 Augsburg Ave.
Bismarck, ND 58504

Re: Cargill Incorporated, Wahpeton - Rail Clearance Variance
PSC Case No. RR-11-81

Dear Mr. Risch:

Cargill Incorporated has filed the enclosed application for a variance from the state's rail clearance law for an infringement into rail clearance at the Cargill Corn Milling facility in Wahpeton, North Dakota. Red River Valley & Western Railroad have already indicated that they are not opposed to this variance request.

Your input concerning this application would be appreciated. If I do not hear from you by April 1, 2011, I will assume that you are not opposed to the requested variance.

Best regards,

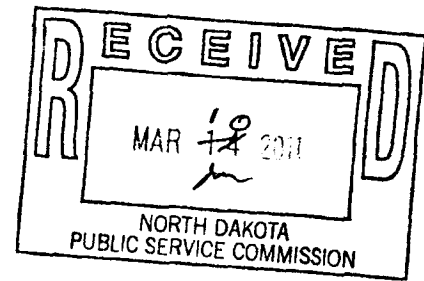
Mark Gruman
Legal Counsel

enclosure

3 RR-11-81 Filed: 3/18/2011 Pages: 4
Letter to UTU requesting input concerning
application for variance

Public Service Commission

Mark Gruman



March 9, 2011

Darrell Nitschke, Executive Secretary
ND Public Service Commission
State Capitol
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Nitschke:

Cargill Inc. of Wahpeton, ND, hereby applies for a variance from rail clearance standards as prescribed by Section 49.10.1-13 of the North Dakota Century Code. This variance request involves modifications to our overhead doors at our Wahpeton facility from their current 22 foot height to a 20 foot tall door. Side clearances are not an issue as they will not change and meet the requirements of the Century Code.

A layout of the proposed modifications to our feed loadout area is enclosed. The above stated modifications are on the overhead doors for tracks 5 and 6.

The structure will not create a safety hazard to our employees or to the employees of the Red River Valley & Western Railroad. Your favorable review will be appreciated.

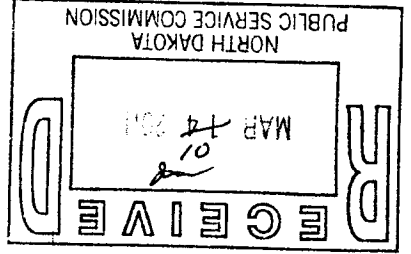
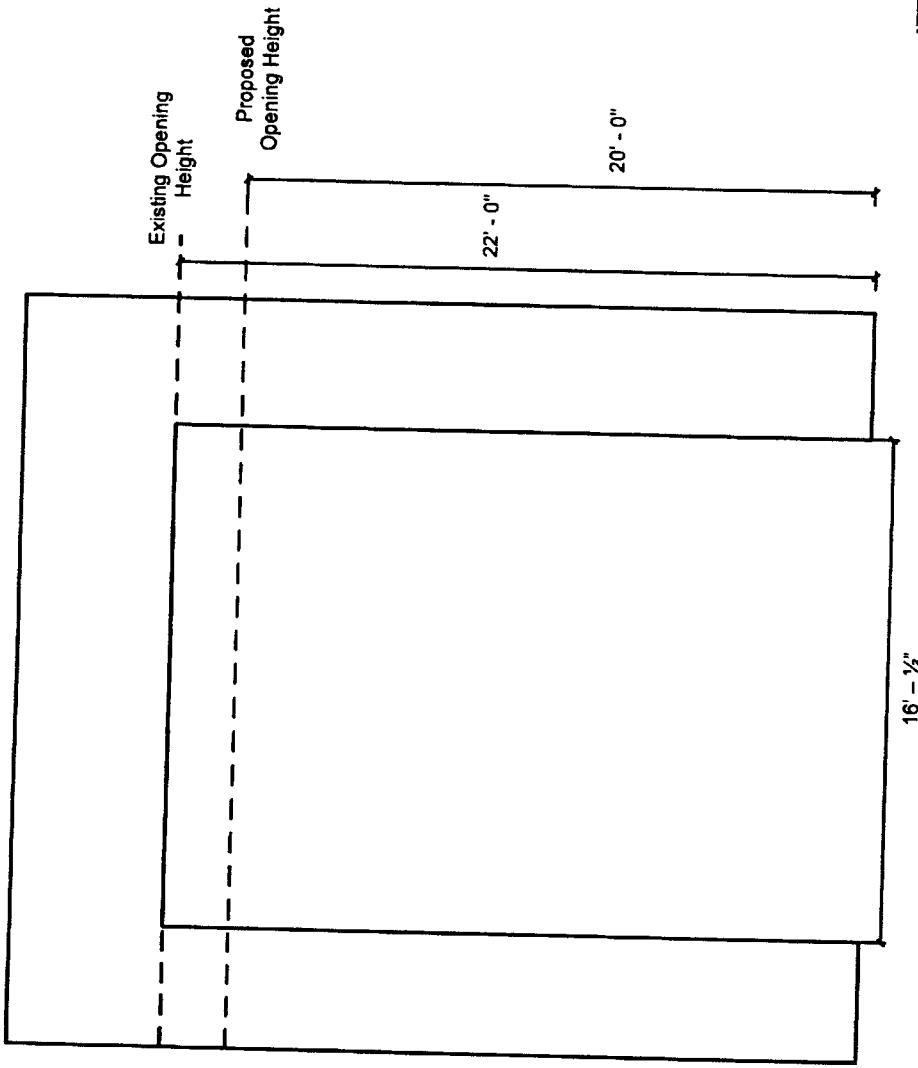
If you have any questions regarding this submission, please feel free to contact me at (701) 671-1630 or on my cell phone at (701) 261-3137. My email address is jesse_ouse@cargill.com.

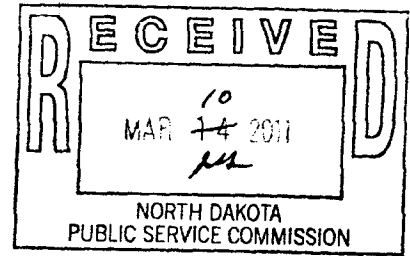
Sincerely,


Jesse Ouse

Process Maintenance Engineer

Cargill Corn Milling





March 9, 2011

Darrell Nitschke, Executive Secretary
ND Public Service Commission
State Capitol
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

Dear Darrell:

Cargill at Wahpeton, ND has requested a variance from rail overhead clearance standards as prescribed by ND Century Code Section 49.101.1-13 for the modification of their feed loadout buildings No. 5 and No. 6 doors from 22-foot tall doors to 20-foot tall doors. This structure is used for loading railcars and is used primarily by Cargill employees. Our employees typically do not use either of these building doors.

The Red River Valley & Western Railroad supports this request. This structure should not create a safety hazard to the employees of Red River Valley & Western Railroad.

Should you have any questions regarding this letter, please contact me at (218) 643-4994. Thanks again for your help!

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Olson".

Cynthia Olson
Manager-Operations/Administration

enc

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