

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Mid America Steel, Inc.
Rail Clearance Variance - Mid America Steel Fargo
Application

Case No. RR-17-260

ORDER GRANTING CLEARANCE VARIANCE

July 26, 2017

On June 29, 2017, the Public Service Commission received an application from Mid America Steel, Inc. (Mid America) for a variance from the rail clearance standards prescribed by Section 49-10.1-13 of the North Dakota Century Code. Mid America is seeking authorization to build a rail car pass through of two overhead doors (see attachment A).

On July 11, 2017, the Commission notified Burlington Northern Santa Fe Corporation (BNSF) and SMART Union Transportation Division (SMART) about the clearance variance application and requested comments.

On July 18, 2017, SMART responded stating no objection to the application.

On July 20, 2017, BNSF responded stating no objection to the application.

We find that granting the application is in the public interest.

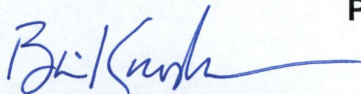
The governing statute allows the Commission to grant variances from the prescribed clearance standards. We conclude that we have jurisdiction over this matter.

Order

The Commission Orders:

Mid America Steel, Inc.'s application is granted.

PUBLIC SERVICE COMMISSION



Brian Kroshus
Commissioner

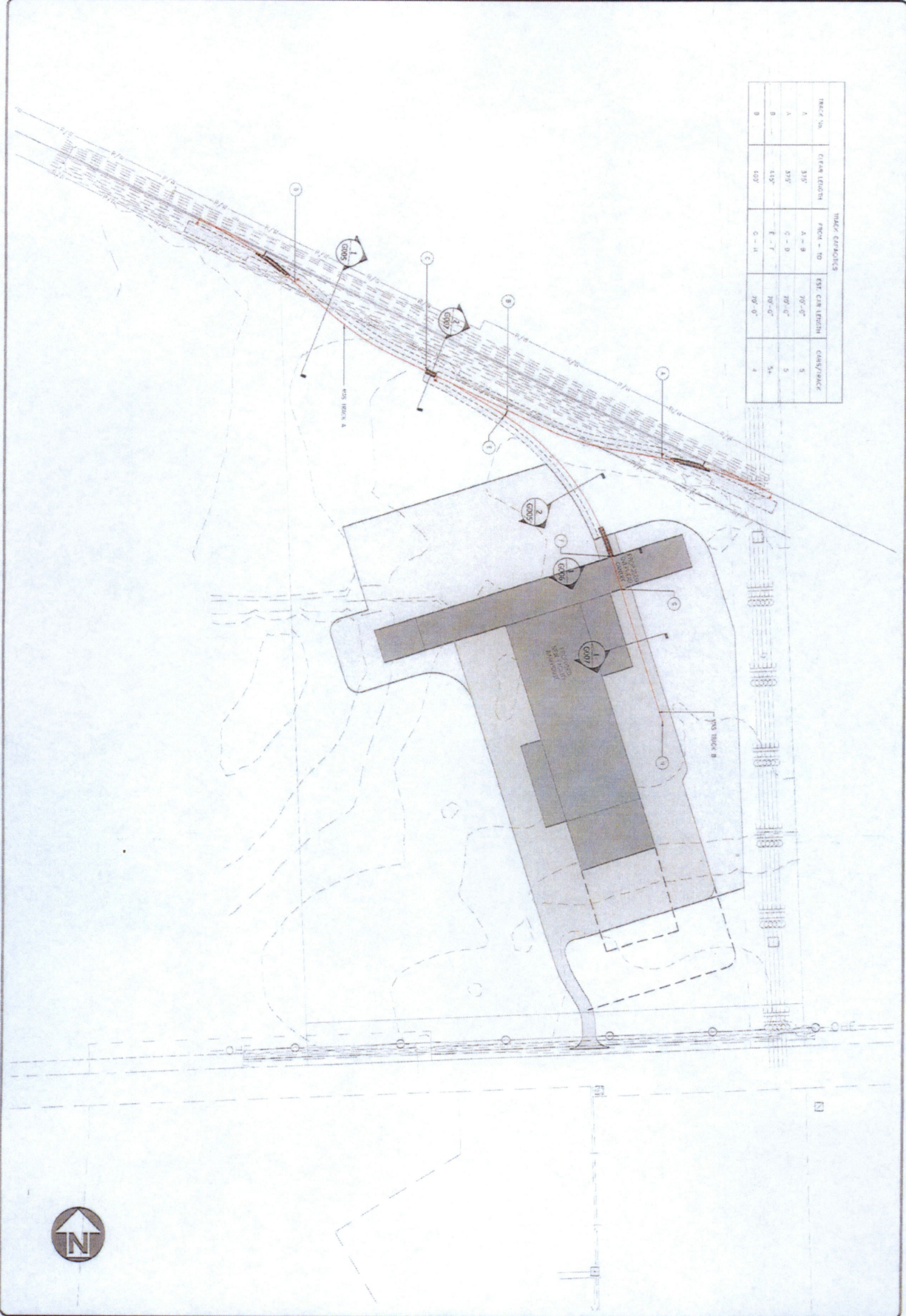


Randy Christmann
Chairman



Julie Fedorchak
Commissioner

WKS BELOW SAVE: 3/23/2017 3:07 PM PLOT: 3/23/2017 3:41 PM H:\0016\FARGO, ND - MID AMERICA STEEL\DRAWING\Fargo, ND - Mid America Steel 05-23-2017 ISSUED FOR APPROVAL.DWG THIS DRAWING MAY NOT BE DISTRIBUTED, COPIED OR REPRODUCED WITHOUT WRITTEN PERMISSION FROM R&R CONTRACTING, INC.



TRACK NO.	FROM EARTH	FROM - TO	EST. CAR LENGTH	CONG/SPACE
1	310'	A - B	70'-0"	5
2	310'	C - D	70'-0"	5
3	410'	E - F	70'-0"	5
4	410'	G - H	70'-0"	5

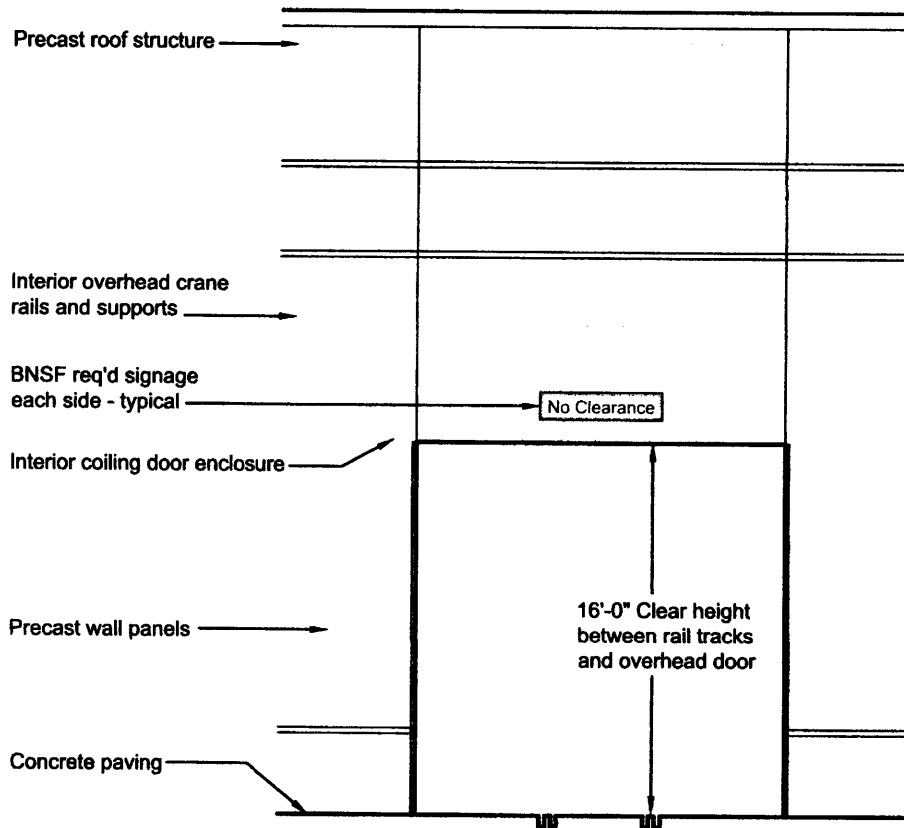
G004
DRAWING NUMBER

DATE: 05/23/16
JOB NO.: 1400116
SCALE: AS SHOWN

**INDUSTRY TRACK EXPANSION
MID AMERICA STEEL, INC.
FARGO, ND
PROJECT OVERVIEW**

REV. NO.	DATE	DESCRIPTION
1	05-18-2016	ISSUED FOR PRELIMINARY REVIEW
2	10-07-2016	MODIFIED ML TURNOUT LOCATIONS (MOVED PROJECT EAST)
3	03-02-2017	OFFSET TRACK 8 2' EAST
4	03-23-2017	ISSUED FOR RAILROAD APPROVAL

R&R Contracting
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6 Rail Car Pass-Thru
 1/8" = 1'-0"