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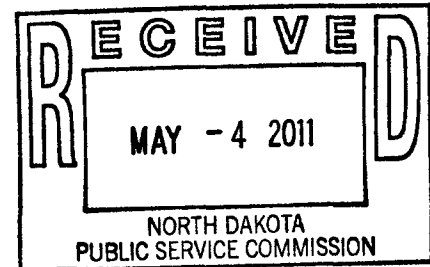
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May 4, 2011

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Darrell Nitschke, Executive Secretary  
c/o Sue Richer (via email: [srichter@nd.gov](mailto:srichter@nd.gov))  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

RE: *Public Service Commission v. VeraSun Hankinson, LLC*, Case No. 39-9-C-462-1,  
District Court, Southeast Judicial District, Richland County, North Dakota (the  
"State Proceeding"), and Public Service Commission Case No. 9-104GE  
Liberty Mutual Insurance Company Bond No. 674012345

Dear Mr. Nitschke:

As you know, Liberty Mutual Insurance Company ("Liberty") is the surety on Bond No. 674012345 (the "Bond") naming VeraSun Hankinson, LLC ("VeraSun") as principal and the North Dakota Public Service Commission (the "Commission") as obligee. Currently, the only claims before the Commission as Case No. 9-104 and in the State Proceeding (collectively, the "Claim Proceedings") are those being pursued through the Commission by Keith Saunders and James Wirtz. I am writing to clarify the questions that Liberty requests that the Commission consider at its next meeting. Those questions are as follows:

1. In the event that Liberty makes a payment directly to Mr. Saunders and a payment directly to Mr. Wirtz, and both Mr. Saunders and Mr. Wirtz file written withdrawals of their claims in Claims Proceedings with the Commission, will the Commission seek recovery under the Bond for any item other than its claim for fees and expenses under N.D. Cent. Code § 60-04-09?
2. Please confirm the fees and expenses incurred by the Commission to date.

Mr. Nitschke  
May 4, 2011  
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I understand that the next Commission meeting is scheduled for the week of May 2, 1011. Please forward the Commission's responses to me following that meeting and at your earliest opportunity.

Of course, Liberty provides the foregoing under a reservation of all rights, remedies and defenses available to it under its Bond, by contract, at law, in equity or otherwise.

Very truly,

MANIER & HEROD,  
a Tennessee Professional Corporation



Scott C. Williams

SCW/eap

cc: Dennis Pisarcik (via email)