



Public Service Commission  
State of North Dakota

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COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

600 E. Boulevard Ave. Dept 408  
Bismarck, North Dakota 58505-0480  
Web: [www.nd.gov/psc](http://www.nd.gov/psc)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
TDD 800-366-6888 or 711  
Fax 701-328-2410  
Phone 701-328-2400

May 29, 2009

Ms. Debra Simenson  
Clerk of the District Court  
Burleigh County Courthouse  
PO Box 1055  
Bismarck, ND 58102-1055

**RE: CIVIL NO. 09-C-1034  
Sustainable Systems, LLC dba Montola  
Roving Grain Buyer  
Insolvency  
PSC Case No. GE-09-112**

Dear Ms. Simenson:

Enclosed for filing in the above proceeding please find the originals of:

1. Notice of Entry of Order with attached copy of executed Order Appointing Trustee
2. Notice of Appointment as Trustee and Notice to File Claims
3. Affidavit of Service by Regular Mail

If you have any questions, please do not hesitate to contact us. Thank you for your assistance in this matter.

Sincerely,

Ilona A. Jeffcoat-Sacco (ID#06315)  
Special Assistant Attorney General

Enclosures

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

_____	)	
Public Service Commission	)	CIVIL NO. 09-C-1034
	)	
Petitioner,	)	
	)	
vs.	)	AFFIDAVIT OF SERVICE
	)	BY REGULAR MAIL
Sustainable Systems, LLC	)	
dba Montola	)	
	)	
Respondent.	)	
_____	)	
PSC Case No. GE-09-112	)	
	)	
_____	)	

STATE OF NORTH DAKOTA            )  
   ) ss  
 COUNTY OF BURLEIGH            )

John Hamre deposes and says that:

he is over the age of 18 years and not a party to this action and on the **29th day of May, 2009**, he deposited in the United States Mail, Bismarck, North Dakota, **26 envelopes** with regular postage, fully prepaid, securely sealed and each containing a photocopy of:

1. Notice of Entry of Order with attached copy of Executed Order Appointing Trustee
2. Notice of Appointment as Trustee and Notice to File Claims
3. Affidavit of Service by Regular Mail

The envelopes were addressed as follows:

Kevin Kreisler, Chairman GreenShift Corp/Sustainable Systems, LLC One Penn Plaza, Suite 1612 New York, NY 10119	National Registered Agents, Inc. Registered Agent for Sustainable Systems LLC PO Box 1776 Bismarck, ND 58502
Paul Miller Sustainable Systems, LLC dba Montola Hwy 2 East Culbertson, MT 59218	Sherri Cooper, Senior Claim Representative Travelers Casualty & Surety Co. of America 33650 6 <sup>th</sup> Avenue S, Suite 200 Federal Way, WA 98003
Dustin Johnsrud Box 68 Epping, ND 58843	Dennis Johnsrud 6121 125 <sup>th</sup> Avenue NW Epping, ND 58843

Ernest Schober  
14403 80<sup>th</sup> Street SW  
Bowman, ND 58623

Myron Lee  
15051 58<sup>th</sup> Street Northwest  
Williston, ND 58801

Harvey Lee  
15077 58<sup>th</sup> Street Northwest  
Williston, ND 58801

Obert Lee  
314 18<sup>th</sup> Street North #307  
Williston, ND 58801

Gene Johnson  
6488 Highway 40  
Tioga, ND 58852-9266

Arlyn Ledahl  
8780 CR 7  
Zahl, ND 58856

John Rolfsrud  
Box 55  
Keene, ND 58847

Brian Fisher  
PO Box 133  
Golva, ND 58632

Hovde Ranch LLP  
13651 30<sup>th</sup> Street NW  
Alexander, ND 58831

Douglas & Sandra Iverson  
4624 154<sup>th</sup> Avenue NW  
Williston, ND 58801

Brian Ledahl  
9005 137<sup>th</sup> Avenue NW  
Zahl, ND 58856

Selle Farms, Inc.  
9875 137<sup>th</sup> Avenue NW  
Fortuna, ND 58844

Keith Farstveet  
PO Box 212  
Beach, ND 58621

Alan Solberg  
14838 57<sup>th</sup> Street NW  
Williston, ND 58801

Syvert Mahlen  
5353 153<sup>rd</sup> Avenue NW  
Williston, ND 58801

John Fisher  
PO Box 194  
Golva, ND 58632

Joe & Clara Michels  
672 Black Diamond Road East  
Beach, ND 58621

Eugene Gunderson  
3951 Highway 1806 W  
Watford City, ND 58854

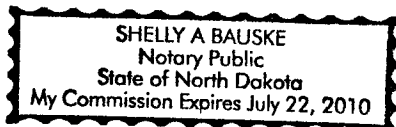
Clara Selle  
804 1<sup>st</sup> Street SW B7  
Crosby, ND 58730

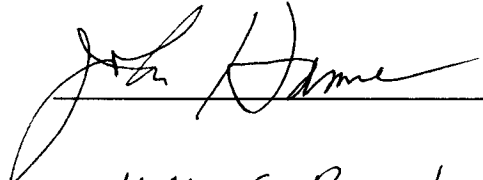
Shirley Ledahl  
304 9<sup>th</sup> Avenue West  
Williston, ND 58801

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 29<sup>th</sup> day of May, 2009.

SEAL



  
\_\_\_\_\_  
*Shelly A Bauske*  
\_\_\_\_\_  
Notary Public

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

Sustainable Systems, LLC  
dba Montola

Respondent.

PSC Case No. GE-09-112

CIVIL NO. 09-C-1034

NOTICE OF ENTRY  
OF ORDER

**PLEASE TAKE NOTICE** that an Order Appointing Trustee was executed on May 22, 2009 and was duly filed in the above proceeding on May 22, 2009, ordering that the Public Service Commission is appointed trustee of the trust fund for the purpose of marshalling all trust assets of the insolvent Sustainable Systems, LLC doing business as Montola in the manner provided by law.

A copy of this Order is attached hereto and by reference made a part hereof.

Bismarck, North Dakota, this **29<sup>th</sup>** day of **May, 2009**.



Ilona A Jeffcoat-Sacco (ID#03315)  
Annette Bendish (ID#05790)  
Special Assistant Attorneys General  
Public Service Commission  
State Capitol – 12<sup>th</sup> Floor  
600 E Boulevard Ave – Dept 408  
Bismarck, North Dakota 58505-0480  
701-328-2400

Attorneys for the Public Service Commission



\_\_\_\_\_, North Dakota, this 22 day of May, 2009.

BY THE COURT

A handwritten signature in black ink, appearing to be "J. M. [unclear]", written over a horizontal line.

The Honorable  
Judge of the District Court

cc: PSC

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

_____	)	
Public Service Commission	)	CIVIL NO. 09-C-1034
	)	
Petitioner,	)	
	)	NOTICE OF APPOINTMENT AS
vs.	)	TRUSTEE AND NOTICE
	)	TO FILE CLAIMS
Sustainable Systems, LLC	)	
dba Montola	)	
	)	
Respondent.	)	
_____	)	
PSC Case No. GE-09-112	)	
	)	
_____	)	

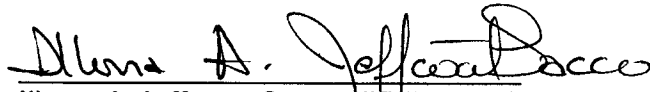
**PLEASE TAKE NOTICE** that on May 22, 2009, the Honorable Bruce A. Romanick, Judge of the District Court, South Central Judicial District, appointed the Public Service Commission Trustee under North Dakota Century Code Chapter 60-02.1 for the benefit of outstanding receipt holders of Sustainable Systems, LLC doing business as Montola. The Order was filed May 22, 2009.

**FURTHER, PLEASE TAKE NOTICE THAT:**

1. Any person having a claim against Sustainable Systems, LLC doing business as Montola for the non-payment of grain purchased or marketed in North Dakota by Sustainable Systems, LLC doing business as Montola shall file the claim with the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480.
  
2. Claims must be filed within forty-five (45) days after the last publication of this notice.

3. Persons filing claims with the Public Service Commission shall include receipts or sufficient documentation to enable the commission to determine the validity of the claims. This could include unsatisfied scale tickets, dishonored checks, and any related contracts.
  
4. Unless a claim is filed with the Public Service Commission within the time specified, the claimant may be barred from participation in the trust fund.

Bismarck, North Dakota, this 29<sup>th</sup> day of May, 2009.



Ilona A Jeffcoat-Sacco (ID#03315)  
Annette Bendish (ID#05790)  
Special Assistant Attorneys General  
Public Service Commission  
State Capitol – 12<sup>th</sup> Floor  
600 E Boulevard Ave – Dept 408  
Bismarck, North Dakota 58505-0480  
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Attorneys for the Public Service Commission