



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

3 November 2009

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)  
Phone 701-328-2400  
Toll Free 1-877-245-6685  
Fax 701-328-2410  
TDD 800-366-6888 or 711

Ms. Debra Simenson  
Clerk of the District Court  
Burleigh County Courthouse  
PO Box 1055  
Bismarck, ND 58501

**RE: Public Service Commission vs. Sustainable Systems, LLC dba Montola  
CIVIL NO. 08-9-C-1034-1**

**PSC Case No. GE-09-112**

Dear Ms. Simenson:

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

1. Notice of Entry of Order Approving Trustee's Report, Approving Payment and Discharging Trustee, with attached copy of Order.
2. 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.

Best regards,

Illona A. Jeffcoat-Sacco (ID#03315)  
Special Assistant Attorney General

Enclosures

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

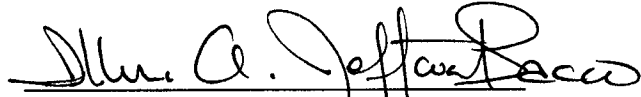
IN DISTRICT COURT  
SOUTH CENTRAL JUDICIAL DISTRICT

_____	)	
Public Service Commission	)	CIVIL NO. 08-9-C-1034-1
	)	
Petitioner,	)	NOTICE OF ENTRY OF
	)	ORDER APPROVING
vs.	)	TRUSTEE'S REPORT,
	)	APPROVING PAYMENT
Sustainable Systems, LLC	)	AND DISCHARGING
dba Montola	)	TRUSTEE
Respondent.	)	
_____	)	
PSC Case No. GE-09-112	)	
_____	)	

**PLEASE TAKE NOTICE** that an Order Approving Trustee's Report, Approving Payment, and Discharging Trustee was executed by the Court on October 29, 2009 and duly entered in the above proceeding on October 29, 2009, ordering the distribution of the bond and interest proceeds to valid claimants, authorizing the Public Service Commission, as Trustee, to make payments to persons with valid claims for grain purchased for cash by Sustainable Systems, LLC dba Montola in North Dakota as specified in the Report and Recommendation of Trustee, and discharging the Trustee upon distribution of the bond and interest proceeds to the claimants.

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

Bismarck, North Dakota, this 3rd day of November 2009.

A handwritten signature in black ink, appearing to read "Ilona A. Jeffcoat-Sacco". The signature is written in a cursive style with a horizontal line underneath it.

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

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

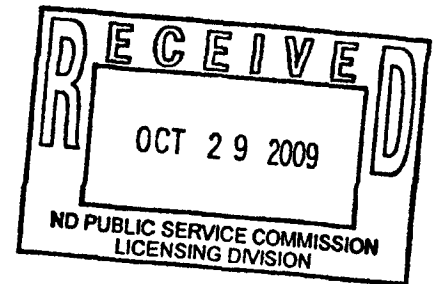
Sustainable Systems, LLC  
dba Montola

Respondent.

PSC Case No. GE-09-112

CIVIL NO. 09-C-1034

ORDER APPROVING  
TRUSTEE'S REPORT,  
APPROVING PAYMENT,  
AND DISCHARGING TRUSTEE



This matter came before the Court on the motion of the Public Service Commission (Commission) seeking approval of its Report as Trustee of Sustainable Systems, LLC dba Montola. This report was scheduled for hearing before this Court on **October 29, 2009, at 11:30 a.m. CDT** at the Burleigh County Courthouse in Bismarck, North Dakota, with proper notice having been given to the claimants as evidenced by the affidavit of mailing on file. The Commission appeared through Illona A Jeffcoat-Sacco, Special Assistant Attorney General; no other parties or claimants appeared.

The Court reviewed the report and other documents of record and finds grounds for approving the report. There were no objections to the report or the Trustee's recommendation.

57 GE-09-112 Filed: 10/29/2009 Pages: 2  
Order Approving Trustee's Report, Approving  
Payment, and Discharging Trustee

Burleigh County District Court

RECEIVED & FILED

OCT 29 2009

Clk. of Crt. Burleigh Co.

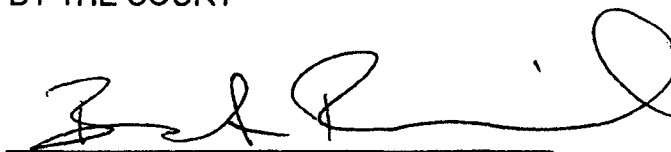
**ORDER**

**IT IS THEREFORE ORDERED:**

1. That the Report and Recommendation of Trustee, dated September 29<sup>th</sup>, 2009, which recommends distribution of the bond and interest proceeds to valid claimants is approved.
2. The Commission, as Trustee, is authorized to make payments to persons with valid claims for grain purchased for cash by Sustainable Systems, LLC dba Montola in North Dakota as specified in the Report and Recommendation of Trustee.
3. That upon distribution of the bond and interest proceeds to the claimants as provided for in the Trustee's report, the Trustee is discharged.

Bismarck, North Dakota, this 29 day of October, 2009.

BY THE COURT

A handwritten signature in black ink, appearing to read "Bruce A. Romanick", written over a horizontal line.

Honorable Bruce A. Romanick  
Judge of the District Court

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.

CIVIL NO. 08-9-C-1034-1

AFFIDAVIT OF SERVICE  
BY REGULAR MAIL

PSC Case No. GE-09-112

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

)  
)**ss**  
)

John G. Hamre deposes and says that:

on the **3rd day of November, 2009**, he deposited in the United States Mail, Bismarck, North Dakota, **26** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of:

1. Notice of Entry of Order Approving Trustee's Report, Approving Payment and Discharging Trustee with attached copy of Order;
2. Affidavit of Service by Regular Mail

The envelopes were addressed as follows:

Kevin Kreisler, Chairman  
GreenShift Corp/Sustainable Systems  
One Penn Plaza, Suite 1612  
New York, NY 10119

National Registered Agents, Inc.  
Registered Agent for Sustainable Systems  
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 125th Avenue NW  
Epping, ND 58843

Ernest Schober  
14403 80th Street SW  
Bowman, ND 58623

Myron Lee  
15051 58th Street Northwest  
Williston, ND 58801

Harvey Lee  
15077 58th Street Northwest  
Williston, ND 58801

Obert Lee  
314 18th 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 30th Street NW  
Alexander, ND 58831

Douglas & Sandra Iverson  
4624 154th Avenue NW  
Williston, ND 58801

Brian Ledahl  
9005 137th Avenue NW  
Zahl, ND 58856

Selle Farms, Inc.  
9875 137th Avenue NW  
Fortuna, ND 58844

Keith Farstveet  
PO Box 212  
Beach, ND 58621

Alan Solberg  
14838 57th Street NW  
Williston, ND 58801

Syvert Mahlen  
5353 153rd Avenue NW  
Williston, ND 58801

John Fisher  
PO Box 194  
Golva, ND 58632

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

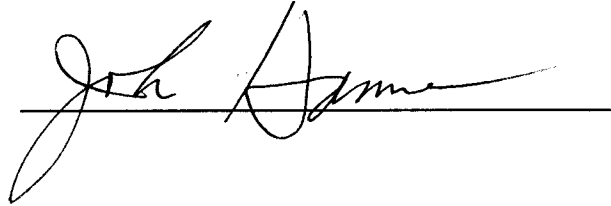
Eugene Gunderson  
3951 Highway 1806 W  
Watford City, ND 58854

Clara Selle  
804 1st Street SW B7  
Crosby, ND 58730

Shirley Ledahl  
304 9th 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 **3rd day of November, 2009.**



A handwritten signature in cursive script, appearing to read "Joe & Clara Michels", is written above a horizontal line.



A handwritten signature in cursive script, appearing to read "Shelly A. Bauske", is written above a horizontal line.

Notary Public

SEAL

