

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Organic Grain and Milling, Inc.
License No. 1156 – Clyde, ND
Suspension/Revocation**

Case No. GE-09-751

**ORDER SUSPENDING WAREHOUSE LICENSE
AND NOTICE OF OPPORTUNITY TO BE HEARD**

December 31, 2009

Organic Grain and Milling, Inc., Boulder, Colorado, operates a licensed public grain warehouse at Clyde, North Dakota, under license no. 1156 issued by the Public Service Commission under the provisions of N.D.C.C. Chapter 60-02.

On October 19, 2009, the Commission received notice that the warehouseman bond issued to Organic Grain and Milling, Inc. would be cancelled on January 27, 2010. N.D.C.C. § 60-02-09.1 provides that the Commission shall immediately suspend an elevator's license if the licensee fails to file a replacement bond at least thirty days before cancellation of the current bond filing. As of December 28, 2009, no replacement bond had been filed with the Commission.

Order

The Commission orders that warehouse license number 1156 issued to Organic Grain and Milling, Inc. is suspended effective December 29, 2009. The licensee shall:

1. Within five days of receipt of notice, notify each receipt holder with written notice that its warehouse license is suspended and that grain must be removed from the warehouse or it will be priced and redeemed in cash in accordance with N.D.C.C. § 60-02-41.
2. Keep the Commission's suspension notice conspicuously posted in the office window and on the front driveway door of the elevator.
3. Surrender warehouse license no. 1156 to the Commission.
4. Not receive additional grain for purchase, storage, shipping or processing.

5. Not sell or ship any grain without submitting a written request to the Commission and receiving Commission authorization to do so.

Notice

PLEASE TAKE NOTICE that Organic Grain and Milling, Inc. has until January 27, 2010, to procure and file an adequate bond or submit a written request for hearing.

N.D.C.C. § 60-02-10.1 provides:

The Commission may suspend or revoke the license of any warehouseman for cause upon notice and hearing. Notwithstanding any other provision of this chapter, the license of a warehouseman must automatically be suspended for failure at any time or to maintain either a bond or insurance policy in the amount or type required. . . .

PUBLIC SERVICE COMMISSION

		
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Tony Clark Commissioner	Kevin Cramer Chairman	Brian P. Kalk Commissioner