

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

MEMORANDUM

TO: Commissioners Cramer, Clark, and Kalk
Darrell Nitschke
Legal Division

FROM: Sue Richter - Licensing Division Director *Sue Richter*

DATE: October 29, 2010

RE: Discontinue Business - Request for Temporary Authority
Grabanski Grain, LLC

Grabanski Grain, LLC (Grabanski Grain), Grafton, North Dakota filed a Chapter 11 Voluntary Petition in the United States Bankruptcy Court. On September 30, 2010, Grabanski Grain filed its Debtor's Motion to Sell Property free and Clear of Liens, Claims, and Encumbrances requesting the authority of the Bankruptcy court to sell land and assets, including the grain warehouse at Grafton to St. Hilaire Seed Company, Inc. On October 14, 2010, the Bankruptcy Court entered its Order Authorizing the Sale of Assets Not in the Ordinary Course of Business authorizing the sale of the business assets, including the grain warehouse facility to St. Hilaire Seed Company, Inc. The Bankruptcy Court's Order provided the necessary relief for Grabanski Grain's license to be canceled and business to be ceased.

On October 27, 2010, Thomas Grabanski and Mari Grabanski signed a Consent Order for License Cancellation and Cessation of Business. In the Consent Order, Grabanski Grain, LLC voluntarily agreed to an order cancelling grain warehouse license number 1911 and voluntarily agreed to cease doing business at the grain warehouse in Grafton.

I recommend their request be approved effective immediately, and that this action be noticed on the next Commission's agenda.

Please sign and date this temporary authority request and return it to me.

Temporary authority authorized.

Commissioner *Tommy Cramer*

Date: *10/29/2010*