

STATE OF NORTH DAKOTA  
COUNTY OF WALSH

IN DISTRICT COURT  
NORTHEAST JUDICIAL DISTRICT

Public Service Commission,  
Petitioner,  
vs.  
Grabanski Grain, LLC,  
and  
Platte River Insurance Company,  
Respondents.

**RESPONSE TO REQUEST TO  
APPEAR TELEPHONICALLY**

**Civil No. 50-2011-CV-00029**

In response to the Request to Appear Telephonically filed by Grabanski Grain, LLC's, attorney, the North Dakota Public Service Commission states that the issues to be presented at the hearing scheduled for July 20, 2011, include whether Grabanski Grain is insolvent for purposes of N.D.C.C. ch. 60-04, and if so, the date of the insolvency. In this regard, Grabanski Grain is not a "minor party" as alleged. The Public Service Commission reserves the right to call employees of Grabanski Grain to testify at the hearing with respect to this issue regardless of the method of counsel's appearance.

Dated this 13<sup>th</sup> day of June, 2011.

State of North Dakota  
Wayne Stenehjem  
Attorney General

By: 

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Service Commission.

STATE OF NORTH DAKOTA  
COUNTY OF WALSH

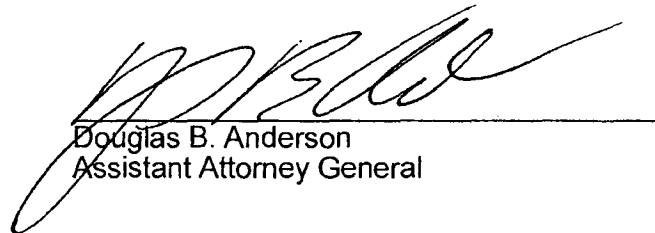
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**CERTIFICATE OF SERVICE**

**Civil No. 50-2011-CV-00029**

I hereby certify that on June 13, 2011, the following document: **RESPONSE TO REQUEST TO APPEAR TELEPHONICALLY** was filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to respondents, by and through their attorneys DeWayne A. Johnston and Gordon W. Myerchin.



Douglas B. Anderson  
Assistant Attorney General