

1 STATE OF NORTH DAKOTA  
2 COUNTY OF WALSH, ss.  
3 Public Service Commission,  
4 Petitioner,  
5 vs  
6 Grabanski Grain, LLC, and  
7 Platte River Insurance Company,  
8 Respondents.

**RECEIVED**

JUL 01 2011

IN DISTRICT COURT  
NORTHEAST JUDICIAL DISTRICT

**PUBLIC SERVICE COMMISSION**

Case Number 50-2011-CV-00029

ORDER DENYING REQUEST

TO APPEAR TELEPHONICALLY

9 The court having considered Respondent, Grabanski Grain LLC's request to appear  
10 telephonically notes that there is potential that witnesses may be called to testify. Any counsels  
11 physical absence while participating in examination and cross examination of any witness will be  
12 difficult and cumbersome. Respondent's legal counsel making the request is officed only 50 miles  
13 from the courtroom. Therefore;

14 **IT IS HEREBY ORDERED:**

15 That the request by counsel for Grabanski Grain, LLC to appear telephonically for the  
16 hearing scheduled for July 20, 2011 is denied. Any witnesses appearing per subpoena or otherwise  
17 must personally appear.

18 Dated this 29 day of June, 2011.

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21   
22 M. Richard Geiger  
District Court Judge

23 pc: DeWayne Johnston, Attorney for Grabanski Grain, LLC  
24 Gordon Myerchin, Attorney for Platt River Insurance  
25 Illona Jeffcoat-Sacco, Attorney for Petitioner  
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