



Public Service Commission

State of North Dakota

COMMISSIONERS

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10 November 2011

Sent via U.S. Mail & E-Mail: dewayne@wedefendyou.net
Mr. DeWayne A. Johnston
Johnston Law Office
221 South 4th Street
Grand Forks, ND 58201

RE: Grabanski Grain, LLC Insolvency
PSC Case No. GE-10-498

Dear Mr. Johnston:

Commission Staff reviewed the claim that you filed on behalf of Merlyn & Delores Grabanski in the referenced case. We also reviewed the Grabanski Grain, LLC records that are available to us to date.

It appears that Merlyn Grabanski made a loan to Grabanski Grain, LLC in January 2010 in the amount of \$65,000. Although the records show that Grabanski Grain, LLC issued the following checks to Merlyn Grabanski, or Merlyn and Delores Grabanski, not all of the checks identify whether they were issued as payments for grain delivered or as payments against the loan. Likewise, not all of this information is evident from the records we have reviewed.

To assist Commission Staff in completing our review of Merlyn & Delores Grabanski's claim, please specify whether the following checks were issued as payments for grain sold or as payments on the loan to Grabanski Grain, LLC (or for some other purpose). Please provide a specific answer for each check:

Check no.10138 for \$10,000 dated January 11, 2010.
Check no.10171 for \$1,000 dated February 5, 2010.
Check no.10180 for \$10,000 dated February 11, 2010.
Check no.10197 for \$6,000 dated February 22, 2010.
Check no.10228 for \$8,000 dated March 16, 2010.
Check no.10245 for \$20,000 dated April 2, 2010.
Check no.10261 for \$4,000 dated April 13, 2010.
Check no.10311 for \$2,000 dated May 20, 2010.


Mr. DeWayne Johnston
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According to the Grabanski Grain, LLC records, Merlyn Grabanski delivered corn in the fall of 2010 (see attachment) that was dried and then redelivered. We find no documentation in the records showing that Merlyn Grabanski paid drying charges. Please provide us with documentation to show that drying charges have been paid for drying the corn delivered by Merlyn Grabanski in the fall of 2010.

Please mail this information to the Public Service Commission no later than November 18, 2011. The mailing address is 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480.

If you have questions, please call Sue Richter or me at 701-328-4097.

Sincerely,


Illona A. Jeffcoat-Sacco
General Counsel

Attachment

Cc w/attachment: Merlyn & Delores Grabanski
Gordon Myerchin
Andy Anderson

Grabanski Grain LLC
 PO Box 148
 Grafton, ND 58237
 701-352-0613

Merlyn Grabanski - 2010 Crop to Date

<i>Ticket no.</i>	<i>Moisture</i>	<i>Test wt</i>	<i>Gross Bu</i>	<i>Shrink</i>	<i>Dry Bu</i>	<i>Drying Chg</i>	<i>Test Wt Chg</i>	<i>Date</i>
7391	35.9	53.6	1542.86	0.31	1059.17	\$810.00	\$21.18	9/21/2010
7357	35.4	54.0	1238.20	0.31	859.31	\$650.06	\$0.00	9/18/2010
7358	35.3	53.6	1572.50	0.30	1093.67	\$825.56	\$21.87	9/18/2010
7359	34.7	53.5	1052.86	0.30	741.74	\$526.43	\$14.83	9/18/2010
7360	35.0	54.0	1603.93	0.30	1122.75	\$842.06	\$0.00	9/18/2010
7361	33.2	53.9	1526.43	0.27	1109.71	\$725.05	\$22.19	9/18/2010
7362	36.5	53.2	1607.15	0.32	1088.84	\$883.93	\$21.78	9/18/2010
7363	36.3	50.2	1208.58	0.32	822.44	\$664.72	\$65.80	9/18/2010
7364	35.0	54.1	1437.15	0.30	1006.01	\$754.50	\$0.00	9/18/2010
7365	35.2	53.1	1276.43	0.30	889.67	\$670.13	\$17.79	9/18/2010
7366	36.5	53.4	1687.86	0.32	1143.53	\$928.32	\$22.87	9/18/2010
7367	35.9	54.5	885.36	0.31	607.80	\$464.81	\$0.00	9/18/2010
7368	34.8	53.7	1204.65	0.30	846.87	\$602.33	\$16.94	9/18/2010
7369	35.9	53.9	1520.00	0.31	1043.48	\$798.00	\$20.87	9/19/2010
7370	34.1	53.7	1346.08	0.29	960.43	\$673.04	\$19.21	9/19/2010
7371	35.0	54.0	1022.15	0.30	715.51	\$536.63	\$0.00	9/19/2010
7372	28.7	53.3	1498.93	0.21	1190.90	\$524.63	\$23.82	9/19/2010
7373	32.1	51.3	1205.36	0.26	896.19	\$542.41	\$53.77	9/19/2010
7374	31.5	51.1	1204.29	0.25	906.23	\$511.82	\$54.37	9/19/2010
7375	29.4	51.2	1256.08	0.22	984.77	\$471.03	\$59.09	9/19/2010
7378	34.7	51.2	1372.15	0.30	966.68	\$686.08	\$58.00	9/20/2010
7379	35.0	47.0	897.15	0.30	628.01	\$471.00	\$87.92	9/20/2010
7380	32.1	50.3	1640.72	0.26	1219.88	\$738.32	\$97.59	9/20/2010
7381	26.2	51.4	682.86	0.17	568.14	\$204.86	\$34.09	9/20/2010
7384	34.7	53.4	1517.15	0.30	1068.83	\$758.58	\$21.38	9/20/2010
7385	34.2	53.2	1219.29	0.29	868.13	\$609.65	\$17.36	9/20/2010
7386	35.5	52.0	1368.58	0.31	947.74	\$718.50	\$37.91	9/20/2010
7387	34.2	53.6	1510.72	0.29	1075.63	\$755.36	\$21.51	9/20/2010
7388	36.2	53.9	940.72	0.32	641.57	\$517.40	\$12.83	9/20/2010
7389	36.4	52.7	1295.36	0.32	879.55	\$712.45	\$35.18	9/20/2010
7393	30.8	52.9	1196.79	0.24	913.15	\$478.72	\$36.53	9/21/2010
7394	31.7	54.0	1538.58	0.25	1153.17	\$653.90	\$0.00	9/21/2010
7395	29.0	53.7	1283.58	0.21	1014.03	\$481.34	\$20.28	9/21/2010
7396	33.4	54.0	1113.22	0.28	805.97	\$528.78	\$0.00	9/21/2010
7397	33.8	53.1	1483.58	0.28	1065.21	\$704.70	\$21.30	9/21/2010
7398	34.3	53.3	1558.93	0.29	1107.62	\$779.47	\$22.15	9/22/2010
7399	33.1	52.5	1262.86	0.27	919.99	\$599.86	\$36.80	9/22/2010
7400	32.5	52.7	1191.43	0.26	878.68	\$536.14	\$35.15	9/22/2010
7402	33.6	53.6	1275.72	0.28	919.79	\$605.97	\$18.40	9/22/2010
7404	35.1	51.1	1204.65	0.30	841.45	\$632.44	\$50.49	9/22/2010
7405	32.9	51.2	1407.86	0.27	1029.85	\$633.54	\$61.79	9/22/2010
7407	33.9	51.9	957.50	0.28	686.05	\$454.81	\$41.16	9/22/2010
7425	28.3	51.4	1254.65	0.20	1004.35	\$439.13	\$60.26	9/27/2010
7426	28.2	53.3	1528.58	0.20	1225.92	\$535.00	\$24.52	9/27/2010
7430	28.3	53.4	1163.22	0.20	931.16	\$407.13	\$18.62	9/27/2010
7432	29.9	53.6	1133.93	0.22	880.50	\$425.22	\$17.61	9/27/2010
7433	27.4	51.6	1004.65	0.19	817.79	\$326.51	\$49.07	9/27/2010
7513	27.7	51.8	1508.22	0.19	1220.90	\$490.17	\$73.25	10/1/2010
7515	29.3	49.8	628.58	0.21	493.75	\$235.72	\$49.37	10/2/2010
7516	26.5	51.1	1505.36	0.17	1245.69	\$451.61	\$74.74	10/2/2010
7520	28.2	50.5	1218.93	0.20	977.58	\$426.63	\$78.21	10/2/2010

7523	28.5	50.5	638.22	0.20	508.98	\$223.38
7524	29.4	79.7	534.29	0.22	418.88	\$200.36
7527	27.5	51.1	607.15	0.19	493.31	\$197.32
7529	26.2	52.4	1365.36	0.17	1135.98	\$409.61
7531	26.4	51.5	598.93	0.17	496.51	\$179.68
7532	27.3	51.6	1419.65	0.18	1157.72	\$461.39
7533	25.9	51.3	1109.29	0.16	927.92	\$305.05
7534	25.5	51.2	626.08	0.16	527.47	\$172.17
7535	25.9	51.1	1391.07	0.16	1163.63	\$382.54
7536	25.3	52.6	1060.72	0.15	896.84	\$291.70
7537	27.8	50.4	644.29	0.19	520.59	\$209.39
7538	26.9	50.3	1401.43	0.18	1151.27	\$420.43
7539	28.7	50.4	591.08	0.21	469.61	\$206.88
7540	28.6	50.1	1131.43	0.20	900.62	\$396.00
7541	27.7	50.6	604.65	0.19	489.46	\$196.51
7542	29.1	49.3	1275.00	0.21	1005.34	\$478.13
7543	27.2	51.2	1420.36	0.18	1160.43	\$461.62
7544	26.9	50.1	645.72	0.18	530.46	\$193.72
7545	28.1	50.6	1320.56	0.20	1061.07	\$462.20
7546	28.2	50.8	1410.36	0.20	1131.11	\$493.63
7547	26.3	52.5	607.50	0.17	504.53	\$182.25
7548	26.2	52.5	1096.08	0.17	911.94	\$328.82
7549	25.3	52.9	1098.22	0.15	928.55	\$302.01
7550	23.5	56.7	628.93	0.13	548.74	\$141.51
7551	23.5	55.6	1190.72	0.13	1038.90	\$267.91
7552	24.6	56.3	1529.29	0.14	1309.07	\$382.32
7553	23.6	55.5	708.22	0.13	616.86	\$159.35
7554	23.6	53.9	1142.86	0.13	995.43	\$257.14
7555	23.5	56.6	1524.29	0.13	1329.94	\$342.97
7556	23.0	56.0	671.79	0.12	591.18	\$151.15
7567	31.7	50.7	1451.79	0.25	1088.12	\$617.01
7568	33.9	50.0	1013.93	0.28	726.48	\$481.62
7569	32.9	50.4	1416.43	0.27	1036.12	\$637.39
7570	33.6	51.6	1093.58	0.28	788.47	\$519.45
7571	33.8	50.2	1372.86	0.28	985.71	\$652.11
7572	34.9	52.1	1022.50	0.30	712.28	\$511.25
7573	35.2	49.6	1038.58	0.30	723.89	\$545.25
7575	35.7	48.2	1387.15	0.31	956.44	\$728.25
7578	34.4	50.4	1186.08	0.29	840.93	\$593.04
7579	31.9	50.7	615.72	0.25	459.63	\$261.68
7580	31.8	51.5	1485.36	0.25	1111.05	\$631.28
7581	30.0	50.9	678.93	0.23	526.17	\$271.57
7582	29.7	49.9	1014.29	0.22	790.64	\$380.36
7587	29.4	51.5	1401.43	0.22	1098.72	\$525.54
7589	30.2	50.6	579.65	0.23	447.49	\$231.86
7590	30.0	50.5	1036.79	0.23	803.51	\$414.72
7591	28.6	51.2	1406.43	0.20	1119.52	\$492.25
7592	29.8	50.4	530.72	0.22	412.90	\$199.02
7593	29.4	50.4	1072.86	0.22	841.12	\$402.32
7594	28.8	50.5	1361.79	0.21	1079.90	\$476.63
7617	24.4	51.5	1007.86	0.14	865.75	\$251.97
7619	20.1	54.9	1516.79	0.08	1,400.76	\$227.52
7621	23.3	52.7	596.43	0.12	522.17	\$134.20

10/2/2010	\$40.72
10/2/2010	\$29.60
10/2/2010	\$29.60
10/2/2010	\$45.44
10/2/2010	\$29.79
10/2/2010	\$69.46
10/2/2010	\$55.68
10/2/2010	\$31.65
10/2/2010	\$69.82
10/2/2010	\$35.87
10/2/2010	\$41.65
10/2/2010	\$92.10
10/2/2010	\$37.57
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10/2/2010	\$39.16
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10/3/2010	\$257.14
10/3/2010	\$19.91
10/3/2010	\$0.00
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10/4/2010	\$36.77
10/4/2010	\$66.66
10/4/2010	\$42.09
10/4/2010	\$79.06
10/4/2010	\$65.92
10/4/2010	\$35.80
10/4/2010	\$64.28
10/4/2010	\$67.17
10/4/2010	\$33.03
10/4/2010	\$67.29
10/4/2010	\$86.39
10/4/2010	\$51.95
10/4/2010	\$0.00
10/4/2010	\$20.89

Grabanski Grain LLC
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 Grafton, ND 58237
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7622	23.6	52.1	1033.93	0.13	900.55	\$232.63	\$36.02
7623	23.8	52.5	1129.65	0.13	980.54	\$254.17	\$39.22
7624	24.0	51.9	570.00	0.14	493.05	\$142.50	\$29.58
7625	24.5	53.2	1207.86	0.14	1035.74	\$301.97	\$20.71
7627	22.0	54.9	1364.65	0.11	1221.36	\$272.93	\$0.00
7632	23.3	53.4	869.29	0.12	761.06	\$195.59	\$15.22
7635	22.7	52.9	617.50	0.12	546.18	\$123.50	\$21.85
7636	22.4	53.2	1376.08	0.11	1223.34	\$275.22	\$24.47
7637	20.7	54.1	628.93	0.09	575.16	\$94.34	\$0.00
7638	22.4	52.6	1525.36	0.11	1356.05	\$305.07	\$54.24
7639	21.7	52.3	1454.65	0.10	1308.46	\$254.56	\$52.34
7640	21.6	53.6	608.58	0.10	548.33	\$106.50	\$10.97
7641	21.1	54.0	1105.72	0.09	1004.55	\$193.50	\$0.00
7642	21.9	54.1	629.65	0.10	564.48	\$110.19	\$0.00
7643	21.0	52.8	1335.36	0.09	1215.18	\$233.69	\$48.61
7644	21.6	53.4	568.57	0.10	512.28	\$99.50	\$10.25
7645	22.6	52.1	909.65	0.11	805.95	\$181.93	\$32.24
7646	21.8	53.0	606.79	0.10	544.90	\$106.19	\$10.90
7647	22.2	53.8	1458.93	0.11	1301.37	\$291.79	\$26.03
7648	18.0	59.1	1254.29	0.05	1197.85	\$125.43	\$0.00
7649	22.3	53.0	573.58	0.11	510.77	\$114.72	\$10.22
7650	18.9	58.8	1230.00	0.06	1158.05	\$123.00	\$0.00
7651	22.4	52.9	619.65	0.11	550.87	\$123.93	\$22.03
7652	18.8	57.9	1668.58	0.06	1573.47	\$166.86	\$0.00
7653	18.7	59.1	1110.36	0.06	1048.74	\$111.04	\$0.00
7654	18.6	56.3	536.79	0.05	507.80	\$53.68	\$0.00
7655	21.8	54.2	621.08	0.10	557.73	\$108.69	\$0.00
7656	18.9	55.5	1156.43	0.06	1088.78	\$115.64	\$0.00
7657	19.0	55.9	641.79	0.06	603.28	\$80.22	\$0.00
7659	21.4	53.9	1488.22	0.10	1345.35	\$260.44	\$26.91
7660	21.7	53.9	1122.50	0.10	1009.69	\$196.44	\$20.19
7662	22.1	55.5	1382.50	0.11	1235.26	\$276.50	\$0.00
7663	21.9	54.8	1552.15	0.10	1391.50	\$271.63	\$0.00
7664	22.0	54.1	1117.15	0.11	999.85	\$223.43	\$0.00
7665	21.6	54.6	168.06	0.10	151.42	\$29.41	\$0.00
7666	22.5	53.9	1276.08	0.11	1132.52	\$255.22	\$22.65
7668	21.1	53.7	1085.36	0.09	986.05	\$189.94	\$19.72
7669	21.1	55.1	1699.65	0.09	1544.13	\$297.44	\$0.00
7670	21.8	54.8	1395.72	0.10	1253.36	\$244.25	\$0.00
7672	20.8	55.0	1095.72	0.09	1000.39	\$164.36	\$0.00
7674	21.0	55.5	1440.36	0.09	1310.73	\$252.06	\$0.00
7675	20.9	56.1	218.58	0.09	199.24	\$32.79	\$0.00
7676	20.7	56.7	205.00	0.09	187.47	\$30.75	\$0.00
7686	18.6	56.1	559.65	0.05	529.43	\$55.97	\$0.00
7690	24.1	51.7	1612.86	0.14	1392.70	\$403.22	\$83.56
				0.00	0.00	\$0.00	#N/A
						\$0.00	#N/A

\$57,530.64