



Public Service Commission

State of North Dakota

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27 June 2012

The Honorable Richard M. Geiger
Judge of the District Court
Walsh County Courthouse
600 Cooper Ave.
Grafton, ND 58237-1509

RE: Public Service Commission vs. Grabanski Grain, LLC
CIVIL NO. 50-2011-CV-00029

PSC Case No. GE-10-498

Dear Judge Geiger:

At the conclusion of the hearing in this matter on 21 June 2012, we discussed the issue of whether and how to allocate recovery of the expenses of the Commission in processing the insolvency. As we discussed, the Commission's Report and Recommendation requests recovery of the expenses from the surety in the amount of \$5,898.60 for expenses incurred to the date of the Report and Recommendation, plus additional expenses that are incurred after the date of filing and service. The surety, in its response filed 8 June 2012, asserts that these expenses should be shared equally between the surety and the credit-sale contract indemnity fund.

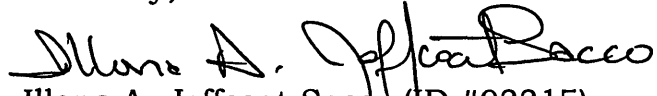
The Public Service Commission agrees that it is appropriate and fair to allocate the expenses of administering the insolvency in this case one-half to the surety and one-half to the credit sale contract indemnity fund. It was an oversight to exclude such an allocation in the Report and Recommendation.

The Commission respectfully requests that the Report and Recommendation of Trustee be revised to reflect a 50/50 allocation of all expenses incurred in the administration of this insolvency to the surety and the credit sale contract indemnity fund.

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If you have any questions, please do not hesitate to contact us. Thank you.

Sincerely,


Illona A. Jeffcoat-Sacco (ID #03315)
Special Assistant Attorney General

cc: DeWayne Johnston, Attorney for Grabanski Grain, LLC
DeWayne Johnston, Attorney for Claimant Objectors Merlyn & Delores Grabanski
DeWayne Johnston, Attorney for Claimant Objector Louie Slominski, Jr.
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