

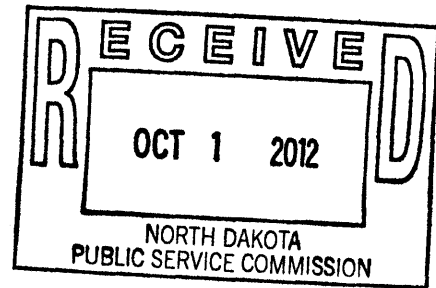
STATE OF NORTH DAKOTA  
COUNTY OF WALSH

IN DISTRICT COURT  
NORTHEAST JUDICIAL DISTRICT

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

Civil No. 50-2011-CV-00029

STIPULATION



PSC Case No. GE-10-498

Petitioner North Dakota Public Service Commission ("Public Service Commission"), and Respondent Platte River Insurance Company ("Platte River Insurance"), stipulate and agree as follows:

**RECITALS**

On August 31, 2012 the Court entered it's FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER in the above entitled matter. See Doc # 116.

Included in those FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER at # 3 in it's ORDER the Court stated that:

*"3. That the Trustee is authorized to make payment to the Public Service Commission to reimburse it for the expenses incurred in the administration of NDCC Chapter 60-04 and related to this proceeding. However, unless this amount is stipulated to by it and Platte River Insurance Company, the Trustee must first submit a statement of those expenses by affidavit in sufficient detail to allow the Platte River Insurance Company to respond to it. The affidavit of expenses must be submitted within 45 days of this order. Thereafter, the Platte River Insurance Company will have 30 days in which to respond to it. The matter will then be taken under advisement unless the parties wish oral argument on this."*

## AGREEMENT

The parties agree, as to the matter of the expenses of the Public Service Commission in the above entitled matter, that:

1. The Public Service Commission has provided Platte River Insurance with sufficient detail of the expenses incurred by the Public Service Commission.
2. The Public Service Commission and Platte River Insurance are in agreement that the total expenses that Platte River Insurance could have been liable for is \$7,000.00. However because an approximately equal number of the claims presented relate to credit-sale claims and non credit-sale claims the expenses incurred by the Public Service Commission shall be divided equally between the Credit-Sale Contract Indemnity Fund and Platte River Insurance Company and the Trustee shall be paid \$3,500.00 from the Platte River Insurance bond # 41134564 payment of \$230,000.00 to the Trustee, said amount being in full satisfaction of Platte River Insurance's share of the expenses in this matter.
3. The parties agreed that the 3.25% interest will not accrue against Platte River Insurance after the date the Judgment is entered by the Court, which was September 17, 2012. This is with the understanding that Platte River Insurance will submit the payment promptly and that it will then be deposited by the Public Service Commission in the Bank of North Dakota.
4. This Stipulation may be filed with the Court by either party with no further notice to any other party.

Dated this 20<sup>th</sup> day of September, 2012.



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Susan Richter, Licensing Div. Director  
North Dakota Public Service Commission

Dated this 20<sup>th</sup> day of September, 2012.



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Susan Richter, on behalf of the Trustee,  
North Dakota Public Service Commission

Dated this 27<sup>th</sup> day of September, 2012.

*Gary Horst*

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Gary Horst  
Senior Bond Claims Specialist  
Platte River Insurance Company