

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Flasher Farmers Union Grain & Oil
License No. 1063 - Flasher, ND
Suspension/Revocation**

Case No. GE-11-50

**ORDER SUSPENDING WAREHOUSE LICENSE
AND NOTICE OF OPPORTUNITY TO BE HEARD**

February 9, 2011

Flasher Farmers Union Grain & Oil operates a licensed public grain warehouse at Flasher, North Dakota, under license no. 1063 issued by the Public Service Commission under the provisions of North Dakota Century Code Chapter 60-02.

On December 2, 2010, the Commission received notice that the warehouseman bond issued to Flasher Farmers Union Grain & Oil will be cancelled on March 2, 2011. North Dakota Century Code § 60-02-09.1 provides that the Commission shall immediately suspend an elevator's license if the licensee fails to file a replacement bond at least thirty days before cancellation of the current bond filing. As of January 31, 2011, no replacement bond had been filed with the Commission.

Order

The Commission orders that warehouse license number 1063 issued to Flasher Farmers Union Grain & Oil is suspended effective February 1, 2011. The licensee shall:

1. Within five days of receipt of notice, notify each receipt holder with written notice that its warehouse license is suspended and that grain must be removed from the warehouse or it will be priced and redeemed in cash in accordance with North Dakota Century Code § 60-02-41.
2. Keep the Commission's suspension notice conspicuously posted in the office window and on the front driveway door of the elevator.
3. Surrender warehouse license no. 1063 to the Commission.
4. Not receive additional grain for purchase, storage, shipping or processing.

5. Not sell or ship any grain without submitting a written request to the Commission and receiving Commission authorization to do so.




Notice

PLEASE TAKE NOTICE that Flasher Farmers Union Grain & Oil has until March 2, 2011, to procure and file an adequate bond or submit a written request for hearing.

North Dakota Century Code § 60-02-10.1 provides:

The Commission may suspend or revoke the license of any warehouseman for cause upon notice and hearing. Notwithstanding any other provision of this chapter, the license of a warehouseman must automatically be suspended for failure at any time or to maintain either a bond or insurance policy in the amount or type required. . . .

PUBLIC SERVICE COMMISSION

		
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Kevin Cramer Commissioner	Tony Clark Chairman	Brian P. Kalk Commissioner