

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

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

Case No. GE-11-50

STATE OF NORTH DAKOTA                    )  
  )ss  
COUNTY OF BURLEIGH                    )

**Geralyn R. Schmaltz** deposes and says that:  
she is over the age of 18 years and not a party to this action and on the **10<sup>th</sup> day of February, 2011** she deposited in the United States Mail, Bismarck, North Dakota, 2 envelopes by regular mail, with postage fully prepaid, securely sealed and containing a photocopy of:

Order Suspending Warehouse License and Notice of Opportunity to be Heard

The envelopes were addressed as follows:

Flasher Farmers Union Grain & Oil  
PO Box 357  
Flasher ND 58535-0357

Darrell Erhardt  
President of the Board  
414 College St  
Flasher ND 58535

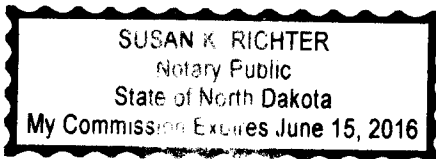
To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

*Geralyn R. Schmaltz*

Subscribed and sworn to before me  
This **10<sup>th</sup> day of February, 2011**

*Susan K. Richter*

Notary Public



**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.

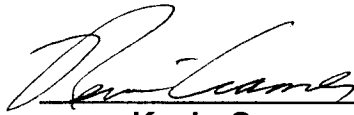
**Notice**

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. . . .

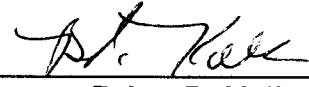
**PUBLIC SERVICE COMMISSION**



**Kevin Cramer  
Commissioner**



**Tony Clark  
Chairman**



**Brian P. Kalk  
Commissioner**