

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Earth Harvest Mills, Inc. dba
Dakota Prairie Organic Flour Company
License No. 1155 – Harvey, ND
Suspension

Case No. GE-11-379

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

Geralyn Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and on the **14th day of July 2011** she deposited in the United States Mail, Bismarck, North Dakota, 1 envelope 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
Order Authorizing Limited Operations

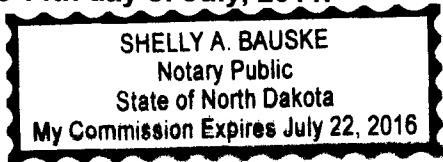
The envelope was addressed as follows:

Grayson Hoberg
Earth Harvest Mills Inc dba
Dakota Prairie Organic Flour Company
500 North St W
Harvey ND 58341

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

Geralyn Schmaltz

Subscribed and sworn to before me
this **14th day of July, 2011.**



Shelly A Bauske

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Earth Harvest Mills, Inc. dba
Dakota Prairie Organic Flour Company
License No. 1155 – Harvey, ND
Suspension**

Case No. GE-11-379

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

July 13, 2011

Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company, Harvey, North Dakota, operates a licensed public grain warehouse at Harvey, North Dakota, under license no. 1155 issued by the Public Service Commission under the provisions of N.D.C.C. Chapter 60-02.

On June 6, 2011, the Commission received notice that the grain insurance policy issued to Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company would be cancelled on August 5, 2011. N.D.C.C. § 60-02-35.1 provides that the Commission shall immediately suspend an elevator's license if the licensee fails to file proof of new or renewed insurance at least thirty days before cancellation of the current insurance filing. As of July 7, 2011, no replacement insurance policy had been filed with the Commission.

Order

The Commission orders that warehouse license number 1155 issued to Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company is suspended effective July 7, 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 N.D.C.C. § 60-02-41.
2. Keep the Commission's suspension notice conspicuously posted in the office window or on the front driveway door of the facility.
3. Surrender warehouse license no. 1155 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 Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company has until August 5, 2011, to procure and file proof of new or renewed insurance or submit a written request for hearing.

N.D.C.C. § 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

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Earth Harvest Mills, Inc. dba
Dakota Prairie Organic Flour Company
License No. 1155 – Harvey, ND
Suspension**

Case No. GE-11-379

ORDER AUTHORIZING LIMITED OPERATIONS

July 13, 2011

Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company operates a licensed public grain warehouse at Harvey, North Dakota, under license no. 1155 issued by the Public Service Commission under the provisions of N.D.C.C. Chapter 60-02.

On June 6, 2011, the Commission received notice that the grain insurance policy issued to Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company would be cancelled on August 5, 2011. N.D.C.C. § 60-02-35.1 provides that the Commission shall immediately suspend an elevator's license if the licensee fails to file proof of new or renewed insurance at least thirty days before cancellation of the current insurance filing. As of July 7, 2011, no replacement insurance policy had been filed with the Commission.


On July 6, 2011, the Commission received a request from Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company for authorization to continue doing business under license no. 1155.

On July 13, 2011, the Commission adopted an Order Suspending Warehouse License Number 1155 of Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company at their Harvey, North Dakota warehouse, effective July 7, 2011, for lack of adequate insurance filing and issued a Notice of Opportunity to be Heard.

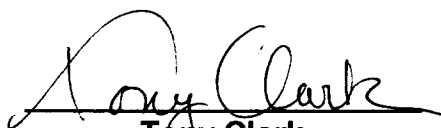
Order

The Commission orders that Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company be authorized to operate the warehouse and purchase or redeliver grain previously received, but may not receive additional grain until proof of new or renewed insurance has been procured, filed, and approved by the Commission.

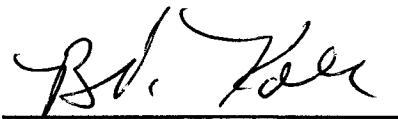
PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



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