



Public Service Commission  
State of North Dakota

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14 February 2013

Michael L. Gust  
Anderson, Bottrell, Sanden & Thompson  
4132 30<sup>th</sup> Avenue South, Suite 100  
PO Box 10247  
Fargo, ND 58106-0247

**RE: Public Service Commission vs. Anderson Seed Co., Inc.**  
**PSC Case No. GE-12-78**  
**CIVIL NO. 09-2012-CV-00693**

Dear Mr. Gust:

This letter is in response to your 14 January 2013 letter regarding whether Legumex Walker was going to be joined as a party in the referenced case and if not, why.

At this time, Commission Staff believes the most appropriate way to resolve the issue of whether Legumex Walker, Inc. is a buyer in the ordinary course of business is to do so in a separate proceeding. Staff is drafting a Complaint against Legumex Walker, Inc. and anticipates filing this Complaint in a separate civil case. Therefore, the Commission has not joined Legumex Walker, Inc. as party in the referenced case, although it may be appropriate to do so in the future.

If you have any questions regarding this letter, please feel free to contact my office.

Sincerely,

Illona A. Jeffcoat-Sacco  
General Counsel

cc: Jon Jensen