

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Douglas John Delorme
Auctioneer
License Application**

Case No. AU-12-132

**Douglas John Delorme
Auction Clerk
License Application**

Case No. AU-12-133

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

May 30, 2012

Appearances

Commissioners Tony Clark, Brian P. Kalk, and Kevin Cramer.

Illona A. Jeffcoat-Sacco, General Counsel, Public Service Commission, State Capitol, 600 East Boulevard Avenue, Bismarck, ND 58505, appearing for Public Service Commission Staff.

Douglas John Delorme, 9658 41st Avenue Northeast, Belcourt, ND 58316, appearing on his own behalf.

Senator Richard Marcellais, RR 1, Box 267A, Belcourt, ND 58316-9787, appearing on behalf of Douglas John Delorme.

Allen C. Hoberg, Administrative Law Judge, Office of Administrative Hearings, 2911 North 14th Street – Suite 303, Bismarck, ND 58503, appearing as Administrative Law Judge.

Preliminary Statement

On January 17, 2012, Douglas John Delorme filed an application for auctioneer license and an application for auction clerk license, along with the required license fees. The application forms contain questions that must be answered by the applicant. On each application form, Mr. Delorme answered the question about whether he had ever been convicted of, or pleaded guilty or nolo contendere to, a felony. He answered in the affirmative and attached a brief explanation.

On March 2, 2012, Mr. Delorme filed the required auctioneer and auction clerk surety bonds.

On April 11, 2012, the Commission issued an Order Denying License Applications and a Notice of Opportunity to be Heard.

On April 23, 2012, Mr. Delorme filed a Request for Formal Hearing.

On April 25, 2012, the Commission issued a Notice of Hearing scheduling a formal hearing on May 16, 2012 at 1:30 p.m. in the Commission Hearing Room, 12th Floor, State Capitol, 600 East Boulevard Avenue, Bismarck, North Dakota. The issues to be considered were identified as:

1. Does one or more of the offenses have a direct bearing on the applicant's ability to serve the public as an auctioneer or auction clerk?
2. Has the applicant been sufficiently rehabilitated from prior criminal offenses under N.D.C.C. section 12.1-33-02.1?
3. Does the applicant bear a good reputation for honesty, truthfulness, and fair dealing?
4. Is the applicant competent to transact the business of an auctioneer or an auction clerk?
5. Other such matters deemed appropriate by the Commission.

On April 28, 2012, Mr. Delorme filed a waiver agreeing to the hearing date and time.

On May 8, 2012, Commission Staff mailed a letter to Mr. Delorme which contained a list of the questions that Staff would be asking at the hearing to assist the Commission in determining whether Mr. Delorme has been rehabilitated.

The hearing was held as scheduled. Mr. Delorme provided verbal responses to all of the questions in the staff letter and provided a list of courses that he completed as part of his rehabilitation program. Mr. Delorme said he asked his probation officer to provide a written statement or letter about the status of his supervised release and, she informed him that she could not provide one.

On May 18, 2012, as discussed at the hearing, Staff contacted Mr. Delorme's release supervisor by telephone.

Findings of Fact

1. Mr. Douglas John Delorme lives at Belcourt, North Dakota.

2. On January 17, 2012, Douglas John Delorme filed an application for auctioneer license and an application for auction clerk license, along with the required license fees. On March 2, 2012, Mr. Delorme filed the required auctioneer and auction clerk surety bonds.

3. Mr. Delorme's license application requirements have been met.

4. It appears that Mr. Delorme has been rehabilitated and has a reputation for honesty, truthfulness, and fair dealing and is competent to transact the business of an auctioneer or a clerk.

From the foregoing Findings of Fact, the Commission makes the following:

Conclusions of Law

1. The Public Service Commission has jurisdiction over Douglas John Delorme and the subject matter of this proceeding.

2. It appears that Mr. Delorme has been rehabilitated and has a reputation for honesty, truthfulness, and fair dealing and is competent to transact the business of an auctioneer or a clerk.

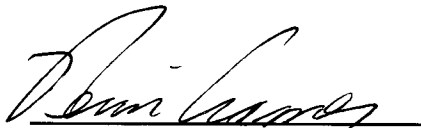
From the foregoing Findings of Fact and Conclusions of Law, the Commission makes the following:

Order

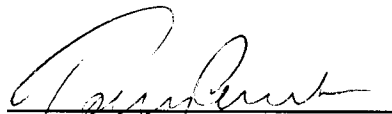
The Commission orders:

1. Douglas John Delorme's application for auctioneer license is approved.
2. Douglas John Delorme's application for auction clerk license is approved.

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner