

**Richter, Susan K.**

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**From:** no-reply@tylerhost.net  
**Sent:** Tuesday, December 31, 2013 4:05 PM  
**To:** Richter, Susan K.  
**Subject:** Courtesy Notification of filing for Case No. 28-2012-CV-00176 ( Public Service Commission vs. Falkirk Farmers Elevator Co. ).

This is a courtesy notification of Filing for Case 28-2012-CV-00176 (Public Service Commission vs. Falkirk Farmers Elevator Co.),

Date Submitted: 12/31/2013 3:12:54 PM

Filed By: [srichter@nd.gov](mailto:srichter@nd.gov)

Filing Type: EFileAndServe

Filing Code: Motion

Filing Description: Motion to Bifurcate Proceeding, Approve First Report and Recommendation of Trustee, and Approve Credit-Sale Contract Indemnity Fund Payments

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MCLEAN

SOUTH CENTRAL JUDICIAL DISTRICT

|                              |   |                            |
|------------------------------|---|----------------------------|
| _____                        | ) |                            |
| Public Service Commission    | ) | CIVIL NO. 28-2012-CV-00176 |
|                              | ) |                            |
| Petitioner,                  | ) | MOTION TO BIFURCATE        |
|                              | ) | PROCEEDING, APPROVE        |
| vs.                          | ) | FIRST REPORT AND           |
|                              | ) | RECOMMENDATION OF          |
| Falkirk Farmers Elevator Co. | ) | TRUSTEE, AND               |
|                              | ) | APPROVE CREDIT-SALE        |
| Respondent.                  | ) | CONTRACT INDEMNITY FUND    |
| _____                        | ) | PAYMENTS                   |
|                              | ) |                            |
| PSC Case No. GE-12-769       | ) |                            |
| _____                        | ) |                            |

1. The undersigned respectfully moves the Court for an Order Bifurcating the Proceeding into a Trust Fund portion and a Credit-Sale Contract Indemnity Fund portion, Approving Trustee's First Report and Recommendation regarding credit-sale contract claims, and Approving Payment from the Credit-Sale Contract Indemnity Fund in the above matter.
  
2. The request to bifurcate the proceeding into a Trust Fund portion and Credit-Sale Contract Indemnity Fund portion is made in order for the Commission to obtain a final adjudication of the Credit-Sale Contract Indemnity Fund claims, and make corresponding payments to credit-sale contract claimants and partial reimbursement of expenses to the Commission, while the claim relating to the Trust Fund remains pending.

3. Respectfully submitted at Bismarck, North Dakota this **31st day of December, 2013.**



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