

APPROVED

DATE: 3-27-13
[Signature]

MOTION

March 27, 2013

**Public Service Commission
Earth Harvest Mills, Inc.
Ex Parte Cease & Desist**

Case No. GE-13-99

I move the Commission inform Earth Harvest Mills, Inc. doing business as Dakota Prairie Organic Flour Company (EHM) that the Commission, based on information available to the Commission as of the date of this motion and subject to receipt of any information that causes the Commission to reconsider this motion, will schedule a formal meeting for the purpose of acting on a motion to lift the February 27, 2013 Cease and Desist Order, contingent upon EHM filing satisfactory proof with the Commission that EHM is in compliance with the following conditions:

- 1) EHM has fully paid all grain payable accounts due and past due as of the date EHM files the proof required in this Motion.
- 2) EHM agrees that EHM's total cash obligations at any given time for delivered grain will not exceed 200% of the amount of bond in place and on file with the Commission.
- 3) EHM agrees to pay for, or convert to a credit-sale contract if requested by the seller, each and every grain purchase within 45 days of the date the grain is delivered.

I further move that the Commission inform EHM that if the Commission receives a written claim for unpaid grain delivered to EHM, the Commission will

direct staff to immediately prepare an Application for Appointment as Trustee, including a declaration of insolvency, for filing in Wells County District Court.