



Public Service Commission
State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

January 15, 2015

Tim Lervick
Crowley Fleck PLLP
Attorneys for Rowland Seeds, Inc.
400 East Broadway, Suite 600
PO Box 2798
Bismarck, ND 58502

RE: Civil No. 52-2013-CV-00033
NDPSC vs. Earth Harvest Mills Inc.

Earth Harvest Mills, Inc.
Grain Warehouse Insolvency
PSC Case No. GE-13-193

Dear Mr. Lervick,


State law provides that as part of the Commission’s evaluation of claims the Commission recognize any proper lien or pledge. As you are aware, the Commission has been working on the lien matter for some time and consequently retained a law firm in Canada to assist with the searches regarding Canadian producers.

The firm retained by the Commission performed a personal property registry search and a search of the notices of intention to give security under the Bank Act Security – Section 427 for Rowland Seeds, Inc. and provided the results to the Commission. There are a number of Canadian secured parties for your client, Rowland Seeds, Inc.

The Commission’s practice is to include the name of any secured party on the check sent to any claimant, and mail a copy of the check to each named secured party. Since the check does not have room to name Rowland Seeds and all the secured parties identified for Rowland Seeds, Inc., we are asking Rowland Seeds, Inc. to provide written confirmation from relevant secured parties that the Commission can send the funds directly to Rowland Seeds, Inc.

Thank you and if you have questions, please call.

Best regards,


Illona A. Jeffcoat-Sacco
General Counsel