

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Southam Elevator Company
License No. 247 – Southam, ND
Suspension

Case No. GE-14-733

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and on the **9th day of October, 2014** she deposited in the United States Mail, Bismarck, North Dakota, 1 envelope by regular mail, with postage fully prepaid, securely sealed and containing a photocopy of:

Order Suspending Warehouse License and Notice of Opportunity to be Heard
Order Authorizing Limited Operations

The envelope was addressed as follows:

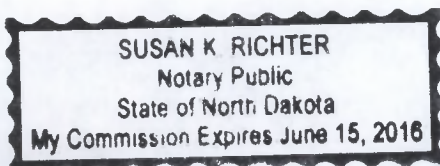
Bruce Stewart
Southam Elevator Company
HC 1 Box 143
Southam ND 58327

To the best of affiant's knowledge the address shown is the addressee's last reasonably ascertainable post office address.

Shelly A Bauske

Subscribed and sworn to before me
this **9th day of October, 2014.**

Susan K Richter
Notary Public



11 GE-14-587 Filed 10/09/2014 Pages: 4
Affidavit of Service by Regular Mail – Order
Public Service Commission

9 GE-14-733 Filed 10/09/2014 Pages: 4
Affidavit of Service by Regular Mail – Order
Public Service Commission

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Southam Elevator Company
License No. 247 - Southam, ND
Suspension**

Case No. GE-14-733

**ORDER SUSPENDING WAREHOUSE LICENSE
AND NOTICE OF OPPORTUNITY TO BE HEARD**

October 8, 2014

Southam Elevator Company operates a licensed public grain warehouse at Southam, North Dakota, under license no. 247 issued by the Public Service Commission under the provisions of North Dakota Century Code Chapter 60-02.

On July 31, 2014, the Commission received notice that the warehouseman bond issued to Southam Elevator Company will be cancelled effective October 31, 2014. North Dakota Century Code section 60-02-09.1 provides that the Commission shall immediately suspend an elevator's license if the licensee fails to file a replacement bond at least thirty days before cancellation of the current bond filing. As of September 30, 2014, a replacement bond was not filed with the Commission.

Order

The Commission orders that warehouse license number 247 issued to Southam Elevator Company is suspended effective October 1, 2014. The licensee must:

1. Within five days of receipt of notice, notify each receipt holder with written notice that its warehouse license was suspended and that grain must be removed from the warehouse or it will be priced and redeemed in cash in accordance with North Dakota Century Code section 60-02-41.
2. Keep the Commission's suspension notice conspicuously posted in the office window and on the front driveway door of the elevator.
3. Surrender warehouse license no. 247 to the Commission.
4. Not receive additional grain for purchase, storage, shipping or processing.
5. Not sell or ship any grain without submitting a written request to the Commission and receiving Commission authorization to do so.

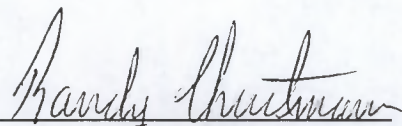
Notice

PLEASE TAKE NOTICE that Southam Elevator Company has until October 30, 2014, to procure and file an adequate bond or submit a written request for hearing.

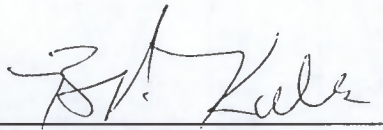
North Dakota Century Code section 60-02-10.1 provides:

The Commission may suspend or revoke the license of any warehouseman for cause upon notice and hearing. Notwithstanding any other provision of this chapter, the license of a warehouseman must automatically be suspended for failure at any time or to maintain either a bond or insurance policy in the amount or type required. . . .

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Brian P. Kalk
Chairman



Julie Fedorchak
Commissioner

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Southam Elevator Company
License No. 247 - Southam, ND
Suspension

Case No. GE-14-733

ORDER AUTHORIZING LIMITED OPERATIONS

October 8, 2014

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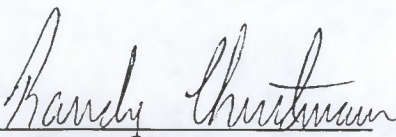
On October 6, 2014, the Commission received a request from Southam Elevator Company for permission to remove grain from the warehouse to satisfy warehouse receipts issued under license no. 247.

On October 8, 2014, the Commission adopted an Order Suspending Warehouse License Number 247 of Southam Elevator Company at their Southam, North Dakota warehouse effective October 1, 2014, for lack of adequate bond filing and issued a Notice of Opportunity to be Heard.

Order

The Commission orders that Southam Elevator Company be authorized to operate the warehouse to redeliver grain previously received, but may not receive additional grain until a replacement bond has been procured, filed, and approved by the Commission.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Brian P. Kalk
Chairman



Julie Fedorchak
Commissioner