

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Flasher Farmers Union Grain & Oil
License No. 1063 - Flasher, ND
Suspension**

Case No. GE-16-587

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

August 17, 2016

Flasher Farmers Union Grain & Oil operates a licensed public grain warehouse at Flasher, North Dakota, under license no. 1063 issued by the Public Service Commission under the provisions of North Dakota Century Code Chapter 60-02.

On June 6, 2016, the Commission received notice that the grain elevator warehouse bond issued to Flasher Farmers Union Grain & Oil will be cancelled. The effective date of cancellation is September 6, 2016. 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 August 5, 2016, no replacement bond had been filed with the Commission.

Order

The Commission orders that warehouse license number 1063 issued to Flasher Farmers Union Grain & Oil is suspended effective August 6, 2016. The licensee shall:

1. Within five days of receipt of notice, notify each receipt holder with written notice that its warehouse license is 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 or on the front driveway door of the elevator.
3. Surrender warehouse license no. 1063 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 Flasher Farmers Union Grain & Oil has until September 6, 2016, 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 provisions of this chapter, the license of a warehouseman must automatically be suspended for failure at any time to have or to maintain either a bond or insurance policy in the amount and type required. . . .

PUBLIC SERVICE COMMISSION

		
Randy Christmann Commissioner	Julie Fedorchak Chairman	Brian P. Kalk Commissioner