

An emergency meeting of the Nebraska Public Service Commission was convened in the Commission Hearing Room, Lincoln, at 8:30 a.m. The purpose of the meeting was to determine whether an Order to Close Warehouse Number 2135 and Take Title to all Grain should be entered against Wilhelm Grain, Inc. (GW-2135/GD-2135/GWC-397), Humboldt, Nebraska. The need to take immediate action to close the warehouse and secure title to the grain arose under circumstances that were impossible to anticipate at a time sufficient to place on the agenda of a regular, called, or special meeting of the Commission.

The meeting was conducted with Commissioners Frank Landis and Lowell Johnson present in the Commission Hearing Room, Lincoln, and Commissioners Anne Boyle, Rod Johnson and Gerald Vap present telephonically. Also present in the Commission Hearing Room, Lincoln, were Angela Melton, Legal Counsel, John Fecht, Director, Grain Warehouse Department, Mike Bartels, Assistant Director, Grain Warehouse Department and Chris Clayton, Omaha World Herald. Also present telephonically were Scott Schrock, Falls City Journal and Jack Cooper, Humboldt Standard.

Chairman Vap called the emergency meeting to order at 8:30 a.m. Ms. Melton and Mr. Fecht summarized the contents of the proposed Order to Close Warehouse Number 2135 and Take Title to all Grain, a copy of which was faxed or emailed to Commissioners Rod Johnson and Gerald Vap.

Commissioner Vap informed the Commission that the Omaha World Herald, Lincoln Journal Star, Falls City Journal, and Humboldt Standard were notified of the emergency meeting on February 10, 2005, between 4:30 and 5:45 p.m.

After discussion, Commissioner Boyle moved to enter the Order and Commissioner Landis seconded the motion. Motion passed with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap voting AYE. An Order to Close Warehouse Number 2135 and Take Title to all Grain was entered.

The meeting was adjourned at 8:42 a.m.

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Chairman

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Legal Counsel