

An emergency meeting of the Nebraska Public Service Commission was convened in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, at 4:45 p.m. (CDT). The purpose of the meeting was to close Alvo Grain and Feed, Alvo, currently holding Grain Warehouse License GW-1599 and Grain Dealer License GD-1599. In addition, the Commission will take title to all grain in the warehouse in trust for distribution on a pro rata basis to all valid owners, depositors or storers of grain who are holders of evidence of ownership of grain. Complaint GWC-421 was opened on April 4, 2008 at the licensee's request to surrender the Grain Warehouse and Grain Dealer licenses.

The need to take immediate action to 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. Specifically, the Commission on April 4, 2008, learned of possible difficulties Alvo Grain and Feed was experiencing.

Chair Boyle called the emergency meeting to order at 4:45 p.m. Chair Boyle invited the public to address the Commission at any point during the meeting. She also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. Commissioner Boyle further informed the Commission that the Omaha World Herald, Lincoln Journal Star, Ashland Gazette, and Associated Press were notified of the emergency meeting on April 4, 2008, between 3:45 and 4:45 p.m.

The meeting was conducted in the Commission Hearing Room, Lincoln. Present were Commissioner Tim Schram, Grain Warehouse Director John Fecht, Commission Legal Counsel Angela Melton, Commission Executive Director Mike Hybl, Executive Assistant Kathy Lahman, Bill Hord, Omaha World Herald and Clarence Mabin, Lincoln Journal Star. Present telephonically were Commissioners Anne Boyle, Rod Johnson, Frank Landis, and Jerry Vap, Suzi Nelson, News Editor, Ashland Gazette, and Oscar Garcia, Associated Press.

Commissioner Tim Schram made a public disclosure that his family has had grain transactions with Alvo Grain and Feed in the past but currently has no inventory at the warehouse. Chair Boyle stated there was no conflict of interest and Commissioner Schram was not required to recuse himself.

Mr. Fecht summarized the facts and circumstances forming the basis for the emergency meeting.

After discussion, Commissioner Vap moved to enter the Order to Close Warehouse Number GW-1599 and Take Title to all Grain dated April 4, 2008. Commissioner Schram seconded the motion. Motion passed with Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE. An Order to Close Warehouse Number GW-1599 and Take Title to all Grain was entered. The order will close both locations in Alvo and Ashland, Nebraska and covers both Grain Warehouse License GW-1599 and Grain Dealer License GD-1599.

The meeting was adjourned at 5:00 p.m.

Chair

Executive Director