

An emergency meeting of the Nebraska Public Service Commission was convened in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln. The purpose of the meeting was to enter an order to close Pender Grain Elevator, Pender, Nebraska, suspend the warehouse license number GW-2174 and take title to all grain. A complaint has been filed and docketed as GWC-425.

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 Anne Boyle, Tim Schram and Jerry Vap present in the Commission Hearing Room, Lincoln, and Commissioners Rod Johnson and Frank Landis 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, Mike Hybl, Executive Director and Kathy Lahman, Executive Assistant. Also present telephonically were Jason Sturek, Publisher, Pender Times, and Steve Jordan, Omaha World Herald.

Chairman Vap called the emergency meeting to order at 11:36 a.m. He announced that Commission meetings are conducted in accordance with the Nebraska Open Meetings Act and all participants were free to make comments.

Commissioner Vap informed the Commission that the Omaha World Herald, Lincoln Journal Star, Associated Press and Pender Times were notified of the emergency meeting on October 14, 2010, between 10:30 and 11:00 a.m.

Ms. Melton and Mr. Fecht summarized the contents of the proposed Order and answered questions of the Commissioners. After discussion, Commissioner Anne Boyle moved to enter the Order and Commissioner Tim Schram seconded the motion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. An Order to close warehouse number GW-2174, suspend the warehouse license and take title to all grain was entered.

The meeting was adjourned at 11:50 a.m.

---

Chairman

---

Legal Counsel