

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of AGP Grain)	Application No. GD-2889
Marketing, LLC, seeking a)	
Waiver of the Criminal)	
History Record Information)	ORDER GRANTING TEMPORARY
Check Requirements for Grain)	WAIVER OF BACKGROUND CHECK
Dealers and to obtain a Grain)	REQUIREMENT
Dealer License in the State)	
of Nebraska.)	Entered: December 13, 2011

BY THE COMMISSION:

AGP Grain Marketing, LLC (AGP) is a grain dealer licensed pursuant to the Grain Dealer Act, Neb. Rev. Stat. § 75-903 and Neb. Admin. Code, Title 2901, Ch. 8 § 003. AGP's license expires on December 31, 2011. In the process of renewing AGP's license, it was determined that Mr. Calvin Meyer, a principal of AGP, had not yet completed a background check pursuant to Neb. Rev. Stat. 75-903.02.

On or about December 12, 2011, AGP requested a temporary waiver of the criminal history record information check requirement for Mr. Calvin Meyer. Mr. Meyer has previously been subject to a criminal history record information check through the Bureau of Alcohol, Tobacco and Firearms as an officer for AGP's sister company AGP Corn Processing, Inc. due to the manufacture of grain alcohol at our Hastings Nebraska facility. Mr. Meyer intends to seek a criminal history check for the renewal of AGP's grain dealer license, however, it may not be complete prior to the expiration of the current license.

FINDINGS AND CONCLUSIONS

Neb. Rev. Stat. § 75-903.02 states, in relevant part:

If a primary party has been subject to a check of his or her criminal history record information pursuant to another law, the commission may waive such requirement under this section.

The Commission finds that based upon the representation that Mr. Meyer has previously been subject to a criminal history check and intends to complete a new criminal history record check for the license renewal that the criminal history record check requirement should be waived for a period of thirty (30) days to allow renewal of the grain dealer license. Such waiver is conditioned upon Mr. Meyer promptly taking all steps to complete the process.

Should the criminal history check not be completed within thirty (30) days of this order, AGP's license may be subject to suspension or revocation.

Application No. GD-2889

Page 2

The findings and conclusions of this order are specific to the unique circumstances of this matter.

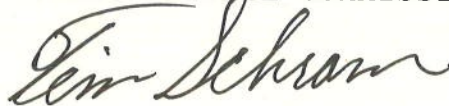
O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that pursuant to Neb. Rev. Stat. § 75-903.02 the criminal history record check requirement should be waived for a period of thirty (30) days to allow renewal of the grain dealer license.

IT IS FURTHER ORDERED that should the criminal history check not be completed within thirty (30) days of this order, AGP's license may be subject to suspension or revocation.

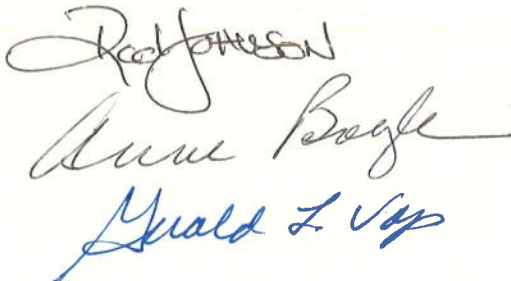
MADE AND ENTERED at Lincoln, Nebraska, this 13th day of December, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION



Chairman

COMMISSIONERS CONCURRING:



//s// Frank Landis
//s// Tim Schram

ATTEST:



Executive Director