

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the application of 21C) Application GW-2187
Oats, Inc., South Sioux City, NE,)
seeking authority as a grain warehouse)
pursuant to Neb. Rev. Stat. Section 88-) GRANTED
527 and requesting a \$1,000,000.00)
deductible on its stock insurance.) Entered: April 10, 2012

BY THE COMMISSION:

By application filed by the applicant, 21C Oats, Inc., South Sioux City, NE seeks authority as a grain warehouse pursuant to Neb. Rev. Stat. Section 88-527 and Neb. Admin. Code Title 291, Ch. 8, Sec. 002.

Applicant has filed the appropriate annual fee with the Commission. Furthermore, applicant has filed security in the form of a bond in the amount \$500,000.00, in compliance with Neb. Admin. Code Title 291, Ch. 8, Rule 002.05. Such security is for the benefit of all depositors, storers, and/or owners and qualified check holders who file a valid claim against the grain warehouse. Applicant has filed a financial statement that meets the requirements of Neb. Admin. Code Title 291, Ch. 8, Rule 002.04.

On April 3, 2012, 21C Oats, Inc., South Sioux City, NE filed a request with the Commission to authorize a \$1,000,000.00 insurance deductible.

According to Commission Rules and Regulation, Title 291, Chapter 8, Section 002.06C, a warehouseman must maintain a policy or policies of combustion, fire, lightning, and tornado insurance in an amount sufficient to cover the total loss upon all grain in the licensed warehouse.

Without in any way limiting the warehouseman's liability, the warehouseman may carry a standard form of insurance policy approved for grain warehousemen, with a total deductible not to exceed \$10,000.00. However, a warehouseman may apply to the Commission to request a deductible higher than \$10,000.00.

OPINION AND FINDINGS

The Commission finds that the above listed applicant has met the requirements of Neb. Rev. Stat. § 88-527 and applicable sections of Neb. Admin. Code Title 291, Ch. 8, Sec. 002, and therefore, should be issued a grain warehouse license.

According to the financial review conducted by Commission staff, it appears that 21C Oats, Inc., South Sioux City, NE has excess net worth of \$2,789,289,000.00 and working capital of \$1,381,619,000.00. Said amounts support the requested increase to the insurance deductible.

In consideration of the request, and being fully informed, the Commission hereby grants said increased deductible. However, should 21C Oats, Inc., South Sioux City, NE desire to retain such increased deductible for a subsequent license year, it must reapply for authority to do so from this Commission.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above named applicant be issued a grain warehouse license effective April 10, 2012 on the above mentioned condition.

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IT IS FURTHER ORDERED that such grain warehouse license shall expire March 31, 2013, in compliance with Neb. Admin. Code Title 291, Ch. 8, Rule 002.03D.

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that 21C Oats, Inc., South Sioux City, NE, is hereby granted authority to increase its insurance deductible to \$1,000,000.00

IT IS FURTHER ORDERED that should 21C Oats, Inc., South Sioux City, NE desire to retain such increased deductible for a subsequent license year it must reapply for authority to do so from this Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 10th day of April, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram
Aime Boyle
Gerald L. Vop

//s// Rod Johnson
//s// Frank Landis

Chairman

ATTEST:

Shirley J. 128
Executive Director