

September 5, 2007

FOR IMMEDIATE RELEASE

HERGERT GRAIN LICENSE SURRENDERED

LINCOLN – The Nebraska Public Service Commission today was informed by its Grain Warehouse Department that the state-issued grain warehouse license formerly held by Hergert Grain of Scottsbluff has been canceled.

The report at the Commission's weekly meeting followed nearly five months of proceedings starting with the suspension of the license on April 19. Among the problems cited at the time following an audit of Hergert Grain by the Commission's Grain Warehouse Department was a shortage of 58,536 bushels of corn and the issuance of receipts for 54,729 bushels of corn not in the warehouse.

On June 19, the Commission lifted the suspension on a stipulation agreed to by owner Dave Hergert that he would pay a \$750 fine, have all accounts cleared by September 1, accept no new grain, report any transactions to the Commission within 24 hours, and maintain the company's surety bond until the license was surrendered.

Accounts for the last three storers of grain were satisfied during the final week of August, Grain Warehouse Department Director John Fecht reported to the Commission. A producer with 60 bushels of corn took delivery of his product. A check for about \$202 representing corn for which no one stepped forward was sent to the Nebraska State Treasurer's unclaimed property division, and Hergert paid a California depositor for over 7,600 bushels of corn.

That action concluded work under Hergert Grain's state license. Without the license, Hergert Grain cannot buy grain with the intention to resell it and cannot accept grain for storage.

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