

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS

Release No. 792 / August 12, 2013

ADMINISTRATIVE PROCEEDING

File No. 3-15404

In the Matter of

CONVERGENCE ETHANOL, INC.

CORRECTED ORDER POSTPONING
HEARING
AND SETTING PREHEARING
CONFERENCE

The Securities and Exchange Commission (Commission) issued an Order Instituting Administrative Proceedings (OIP) on August 2, 2013, alleging that Convergence Ethanol, Inc. (Convergence Ethanol), has failed to comply with Section 12(g) of the Securities Exchange Act of 1934 (Exchange Act), Exchange Act Rule 12b-20, and Regulations S-K and S-X. On August 9, 2013, the Division of Enforcement (Division) filed a Declaration of David S. Frye that shows Convergence Ethanol was served with the OIP on August 5, 2013. See 17 C.F.R. § 201.141(a)(2)(ii). An answer is required within ten days of service of the OIP. OIP at 3; 17 C.F.R. § 201.220(b). A hearing is scheduled to begin on August 22, 2013.

E-mails among the parties shared with this Office indicate that Convergence Ethanol will settle the allegations. I will postpone the hearing and set a prehearing conference date to allow time for submission of a signed Offer of Settlement.

Order

I POSTPONE the hearing scheduled for August 22, 2013 and ORDER a telephonic prehearing conference for 2:00 p.m. EDT on September 18, 2013. The prehearing conference will not occur if Convergence Ethanol submits a signed Offer of Settlement that the Division recommends the Commission accept.

Brenda P. Murray
Chief Administrative Law Judge