

Edgar Filing: BION ENVIRONMENTAL TECHNOLOGIES INC - Form NT 10-Q

BION ENVIRONMENTAL TECHNOLOGIES INC

Form NT 10-Q

November 12, 2003

UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 12b-25

NOTIFICATION OF LATE FILING

SEC FILE NUMBER
0-19333

CUSIP NUMBER
09061Q 10 9

(Check One): Form 10-KSB Form 11-K Form 10-QSB Form N-SAR

For Period Ended: September 30, 2003

- Transition Report on Form 10-KSB
 Transition Report on Form 20-F
 Transition Report on Form 11-K
 Transition Report on Form 10-QSB
 Transition Report on Form N-SAR

For the Transition Period Ended: _____

If the notification relates to a portion of the filing checked above, identify the Item(s) to which the notification relates: _____

PART I - REGISTRANT INFORMATION

Bion Environmental Technologies, Inc.

Full Name of Registrant

18 East 50th Street, 10th Floor

Address of Principal Executive Office (Street and Number)

New York, New York 10022

City, State and Zip Code

PART II - RULES 12b-25(b) AND (c)

If the subject report could not be filed without unreasonable effort or expense and the Registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate)

- (a) The reasons described in reasonable detail in Part III of this form could not be eliminated without unreasonable effort or expense;
- (b) The subject annual report, semi-annual report, transition report on Form 10-KSB, Form 20-F, 11-K, Form N-SAR, or portion thereof, will be filed on or before the fifteenth calendar day following the prescribed due date; or the subject quarterly report of transition report on Form 10-QSB, or portion thereof will be filed on or before the fifth calendar day following the prescribed due date; and
- (c) The accountant's statement or other exhibit required by Rule 12b-25 has been attached if applicable.

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PART III - NARRATIVE

State below in reasonable detail the reasons why the Form 10-KSB, 20-F, 11-K, 10-Q, N-SAR, or the transition report or portion thereof, could not be filed within the prescribed time period.

In order to survive we were forced to significantly decrease our staff (which resulted in the loss of all of our full time accounting personnel) during the second half of our last fiscal year. We have engaged an outside consultant to help us with accounting matters, but he is not available to us on a full time basis. Due to our limited financial resources and the need to confirm all work done by all personnel no longer with the Company, it will not be possible for us to complete our Form 10-QSB for the quarter ended September 30, 2003 by the date that it is due.

PART IV - OTHER INFORMATION

- (1) Name and telephone number of person to contact in regard to this notification.

Mark A. Smith 719 256-5329
(Name) (Area Code) (Telephone Number)

- (2) Have all other periodic reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceding 12 months (or for such shorter) period that the Registrant was required to file such reports) been filed? If answer is no, identify report(s). []Yes [X]No

The 2003 financial statements included in the Registrant's Annual Report on Form 10-KSB for its fiscal year ended June 30, 2003 have not been audited by an independent auditing firm.

- (3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion thereof? []Yes [X]No

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

Bion Environmental Technologies, Inc.

(Name of Registrant as Specified in Charter)

has caused this notification to be signed on its behalf by the undersigned hereunto duly authorized.

Date: November 10, 2003

By: /s/ Mark A. Smith

Mark A. Smith, President