

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

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|--|---------------------------|
| IN THE MATTER OF LW SALES/LW SEED'S) | MOTION FOR SUMMARY |
| FAILURE TO OBTAIN NECESSARY) | JUDGMENT |
| LICENSURE PRIOR TO OPERATION AS A) | |
| GRAIN DEALER IN THE STATE OF SOUTH) | GD07-001 |
| DAKOTA) | |

Commission Staff, by and through its attorney, Kara Van Bockern, respectfully requests the Public Utilities Commission of the State of South Dakota to grant its request for Summary Judgment based on SDCL 1-26-18.

Attached hereto and incorporated by reference is a Brief in support of this Motion. Movant respectfully requests the Commission consider the Brief, and then enter an order: i) granting Staff's request for Summary Judgment, ii) enjoining LW Sales/LW Seeds from future like grain sales without proper licensure, and iii) assess the maximum fine of \$400 or \$100 per known sale.

Dated at Pierre, South Dakota, this 27th day of July, 2007.



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CERTIFICATE OF SERVICE

I hereby certify that copies of Motion for Summary Judgment were served on the following electronically or by mailing the same to them by United States Post Office First Class Mail, postage thereon prepaid, at the addresses shown below on this the 27th day of July, 2007.

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