

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

**IN THE MATTER OF LW SALES/LW SEED'S)
FAILURE TO OBTAIN NECESSARY)
LICENSURE PRIOR TO OPERATON AS A) GD07-001
GRAIN DEALER IN THE STATE OF SOUTH)
DAKOTA)**

RESPONDENT'S MOTION FOR RECONSIDERATION/MOTION TO SET ASIDE

COMES NOW, the Respondent, Larry Wheeting, by and through his attorney, Kari A. Bartling, and hereby moves the Public Utilities Commission to reconsider and/or set aside the summary judgment and fine that was imposed against the respondent at a hearing purportedly held on August 28, 2007. This motion is based on the fact that the respondent was not given adequate notice and an opportunity to be heard in this situation and was completely unaware that a hearing was going on. The affidavit of Kari A. Bartling is attached hereto and incorporated by reference herein in support of this motion.

Dated this _____ day of September, 2007.

Kari A. Bartling, Attorney for Defendant
P.O. Box 467 – 102 N. Main
Groton, SD 57445
(605) 397-8464

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I have served a true and correct copy of the foregoing Respondent's Motion for Reconsideration/Motion to Set Aside on Kara Semmler, at South Dakota Public Utilities Commission, 500 East Capitol Avenue, Pierre, South Dakota 57501 by first class mail, postage prepaid on this ____ day of September, 2007.

Kari A. Bartling, Attorney for Defendant