



Chris Nelson, Chair
Kristie Fiegen, Vice Chair
Gary Hanson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

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(605) 773-3201
1-866-757-6031 fax

Grain Warehouse
(605) 773-5280
(605) 773-3225 fax

Consumer Hotline
1-800-332-1782

October 9, 2012

Barton R. Banks
Dakota Mill & Grain Inc.
PO Box 2340
Rapid City, SD 57709

Re: Proof of Claim for Cash Grain

Dear Mr. Banks,

The South Dakota Public Utilities Commission regulates grain buyers in this state. As you know, we are working through issues connected to Anderson Seed in Redfield, SD. Specifically, due to Anderson Seed's failure to pay for grain, its bond has been surrendered and now must be distributed. We understand from the information you sent, you believe your company is entitled to some of the bond proceeds.

The Commission's Grain Warehouse Staff has evaluated your claim. Staff has determined your claim to be \$464,280.76 which is \$207,995 less than your claim of \$672,275.76. I have enclosed a sheet that explains the reasons for the discrepancy. If you are in agreement with staff you do not need to do anything at this time and Staff will recommend that you participate in the bond distribution according to our findings. If you would like to challenge Staff's findings in front of the Commission, send a written request for a hearing to our office by November 16, 2012. If you have any questions about the process or would like to discuss your claim please call our office at 605-773-5280.

Sincerely,

James Mehlhaff
Grain Warehouse Director

Dakota Mill & Grain Inc.

Amount Claimed:	\$672,275.76
Staff Finding:	\$464,280.76

Claimant submitted a claim for \$672,275.76. \$464,280.76 is for grain delivered and is consistent with staff findings. \$207,995 of the claim is for contract losses on undelivered grain.

Staff recommends that bond proceeds not be issued on any undelivered contracted seeds.