



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

South Dakota

PUBLIC UTILITIES COMMISSION

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Capitol Office
(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

Duane & Dale Nieuwsma
9950 13th Ave SE
Herreid, SD 57632

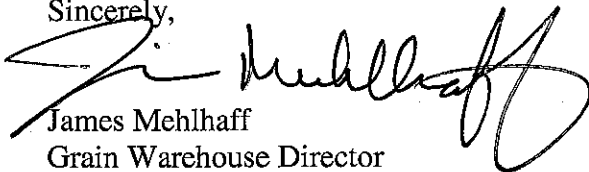
Re: Proof of Claim for Cash Grain

Dear Mr.Nieuwsma,

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 you are entitled to some of the bond proceeds.

The Commission's Grain Warehouse Staff has evaluated your claim. Staff has determined your claim to be \$75,771.70 which is \$933.83 more than your claim of \$74,837.87. 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

Duane & Dale Nieuwsma

Amount Claimed: **\$74,837.87**
Staff Findings: **\$75,771.70**

The claimant lists ticket 40562 at the contract price of \$32.75/cwt. On the assembly sheet obtained from Anderson Seed, this ticket is listed as an "overrun" ticket and is priced at the cash price of \$34.25/cwt. Staff reviewed previous loads and verified that the contract in question was filled prior to issuance of ticket 40562 and found the cash price listed on the assembly sheet to be valid. Staff recommends remitting bond proceeds based on its findings.