



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

South Dakota

PUBLIC UTILITIES COMMISSION

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Pierre, South Dakota 57501-5070
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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

Mr. Ken Vander Vorst
630 – 97th Street SE
Pollock, SD 57648

Re: Proof of Claim for Cash Grain

Dear Mr. Vander Vorst,

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. Your submission was, however, missing a notarized signature. Please resign the enclosed form, obtain the necessary notary and return it to our office by November 16, 2012, for your claim to be considered in this matter.

The Commission's Grain Warehouse Staff has also evaluated your claim. Staff has determined your claim to be \$57,163.94 which is \$1221.47 less than your claim of \$58,385.41. I have enclosed a sheet that explains the reasons for the discrepancy. If you are in agreement with staff, simply return your claim form as described in the first paragraph 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, include a written request for a hearing to our office with your claim form 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

Ken Vander Vorst

Amount Claimed: **\$58,385.41**

Staff Findings: **\$57,163.94**

Claimant submitted 3 tickets with one price for each. Further investigation found 2 of the tickets were split between two separate contracts, each with a different contracted price/cwt. Application of multiple prices to these split tickets resulted in difference in amounts listed above. Staff recommends remitting bond proceeds based on its findings.

RECEIVED

AUG 22 2012

PROOF OF CLAIM FOR CASH GRAIN

(Grain which is priced and sold and payment has not been made). SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

I, Ken Vander Vorst, the undersigned, do hereby submit this claim against any grain funds or applicable bond(s) for the following grain which I delivered and sold to a grain buyer named Anderson Seed located at Redfield S.D.

Listed below are the loads delivered which were not paid for:

Scale ticket number	Date	Kind of grain	Bushels	Price	Lien-Holder, N/A if no liens
40470	10/19/11	S.F.	65125 ^{lb.}	31 ⁰⁰	Less 1.21 Freight which
40481	10/21/11	S.F.	61255 ^{lb.}	31 ²⁵	Anderson Paid
40489	10/25/11	S.F.	52450 ^{lb.}	34 ⁰⁰	

Explanation of Claim:

we should 7 loads & were paid for 4 loads, and not paid for 3 loads ~~which I listed above~~ which I listed above, am sending copy of tickets
Thank you

Attached are copies of the above documents which I offer as proof of delivery and evidence of my claim. I submit the above claim and state that it is true under penalty of law.

Signature of Claimant Ken Vander Vorst Date 8-18-12
Address city 630 97th St SE State Pollock Zip So. Dak 57648
Phone # 1-701-336-7431

Check box if email only service is acceptable.

Email address: _____
Subscribed and sworn to me this _____ day of _____ 20____
Notary _____
County of: _____ State of: _____
My Commission Expires: _____ Affix Seal: _____