

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

---

**IN THE MATTER OF THE GRAIN  
BUYER LICENSE OF H & I GRAIN  
OF HETLAND, INC.**

---

\*  
\*  
\*  
\*  
\*  
\*  
\*

**STAFF'S REQUEST TO REVOKE  
GRAIN BUYER'S LICENSE**

**GW17-001**

COMES NOW, the Staff of the South Dakota Public Utilities Commission (“Commission”), pursuant to SDCL 49-45-16, and Petitions the Commission to revoke H & I Grain of Hetland, Inc.’s (“H&I”) grain buyer license (“license”). In support of its request, Staff asserts as follows:

1. The Commission suspended the license on June 23, 2017.
2. Pursuant to SDCL 49-45-16, H&I had fifteen days to request a hearing. As of the date of this filing, no request for hearing has been made.
3. Subsequent to the June 23 Commission Order, Staff completed its general audit of H&I.
4. Based upon the general audit, Staff expects open payables to be in excess of one million dollars. This amount does not necessarily represent a final figure. This amount does not include priced later or deferred payment contracts. Staff has determined that H&I does not have the ability to make payment on the open payables or other outstanding liabilities. See Confidential Attachment.
5. Based upon the general audit, Staff has good cause to believe that H&I has priced later and deferred payment contracts in excess of six million dollars. See Confidential Attachment.

6. Based upon the above information, H&I is insolvent.

WHEREFORE, because H&I did not request a hearing, Staff requests the Commission revoke the license at its next regularly scheduled Commission meeting without further hearing.

Should the license be revoked, Staff anticipates then opening a separate docket to address the bond.

Dated this 7th day of July, 2017.



---

Kristen N. Edwards  
Staff Attorney  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501  
Phone (605)773-3201  
[Kristen.edwards@state.sd.us](mailto:Kristen.edwards@state.sd.us)