



Kristie Fiegen, Chairperson
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South Dakota

PUBLIC UTILITIES COMMISSION

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January 3, 2018

Second Notice to the Customers of H & I Grain of Hetland, Inc.:

You are receiving this notice because our examination of H & I Grain records appears to indicate that you may have a valid bond claim. As of January 3, 2018, we have not received a claim form from you. **All claims must be postmarked on or before January 24, 2018 to be included in the bond distribution process.**

On June 23, 2017, pursuant to South Dakota Codified Law 49-45-16, the South Dakota Public Utilities Commission (Commission) suspended the grain buyer license of H & I Grain of Hetland, Inc. (H & I Grain) located at 205 Main Ave., Hetland, SD 57212. The Commission also ordered an examination of H & I Grain's scale tickets to determine the extent to which grain was received at H & I Grain facilities located in Hetland, De Smet and Arlington, South Dakota, for which no payment was made. Our examination shows you sold grain to H & I Grain.

On July 21, 2017, the Commission issued an order permanently revoking the grain buyer license of H & I Grain. They also ordered staff to take custody of the \$400,000 surety bond required by SDCL 49-45-9, and to develop a plan distributing the proceeds to those with a valid claim against the bond. The bond was provided by North American Specialty Insurance Company, 1450 American Lane, Suite 1100, Schaumburg, IL 60173.

PUC staff conducted an examination of the scale tickets and identified you as a customer of H & I Grain. Enclosed is a summary sheet of the findings with respect to your account. This shows what staff believes you are owed for grain delivered for which payment was not received. It also shows the determination as to what, if any, portion of the payable is covered by the surety bond. Grain that is determined to be on an open ticket is bond eligible. Grain that is subject to the terms of a voluntary credit sale contract, such as a price-later or deferred payment contract, is not covered by the bond.

Enclosed is a bond claim form. If you are in agreement with staff's findings regarding your bond claim, fill in your name at the top of the claim form, check the box indicating agreement with staff, sign the form in the presence of a notary, and return it to the Commission by January 24, 2018. If you are not in agreement, fill in the rest of the form, provide supporting documentation for your claim, sign the form in the presence of a notary, and return it to the Commission along with the supporting documents by January 24, 2018. Pursuant to SDCL 49-45-19, claims must be filed within six months of receiving the notice of revocation, and this letter is intended to serve as your notice.

If you have any questions about the claims process or any other items, please do not hesitate to contact me.

Sincerely,

Jim Mehlhaff
Director, Grain Warehouse Division