



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

*South Dakota*

**PUBLIC UTILITIES COMMISSION**

500 East Capitol Avenue  
Pierre, South Dakota 57501-5070  
[www.puc.sd.gov](http://www.puc.sd.gov)

Capitol Office  
(605) 773-3201

Grain Warehouse  
(605) 773-5280

Consumer Hotline  
1-800-332-1782

Email  
[puc@state.sd.us](mailto:puc@state.sd.us)

May 1, 2018

Patricia Van Gerpen  
Executive Director  
SD Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

**RE: GW17-002 - In the Matter of the Grain Buyer Bond of H & I Grain of Hetland, Inc.**

Dear Ms. Van Gerpen,

A question was posed at the Commission meeting regarding the history behind SDCL 49-45-16.1. Specifically, Commission counsel inquired as to the purpose for the legislation in 2011. Prior to 2011, the receivership language found in 49-45-16.1 was found in 49-45-16 alongside language that addressed grounds for suspension. This implied that receivership could only occur in conjunction with license suspension/revocation. During the 2011 session legislation was proposed to remove the receivership language from 49-45-16 and to add a new section 49-45-16.1 to address receivership as a single issue.

Sincerely,



Jim Mehlhaff  
Director, Grain Warehouse Division