

**Public Utilities Commission
Notice of Public Hearing to Adopt Rules**

A public hearing will be held in Room 414, 4th floor, State Capitol, Pierre, South Dakota, on July 30, 2013, at 1:00 p.m., to consider the adoption and amendment of proposed rules numbered
 20:10:11:01; 20:10:11:04.02; 20:10:11:10; 20:10:11:12.1; 20:10:11:12.2;
 20:10:11:14; 20:10:11:15; 20:10:11:16; 20:10:11:17; 20:10:12:05;
 20:10:12:05.01; 20:10:12:05.02; 20:10:12:10; 20:10:12:11; 20:10:12:12;
 20:10:12:13; 20:10:12:14; 20:10:12:15; 20:10:12:18; 20:10:12:19,

These revisions affect rules regarding the regulation of grain buyers and grain warehouses by the Public Utilities Commission. The effect of the revisions to the citations for "general authority" and "law implemented" is to provide updated citations. The reason is to reflect changes in the statutes wherein statutes from a repealed chapter are now in another chapter. These are the only changes to 20:10:11:16 and 20:10:11:17.

The effect of the revisions to 20:10:11:01 is to revise and update the monthly grain report rule. The reasons are to allow a grain warehouse the option of furnishing its monthly grain report online and allow pricing options for reports.

The effect of the revisions to 20:10:11:04.02 is to revise the release of bond requirements. The reason is a slight revision to the requirement regarding replacement bonds.

The effect of the revisions to 20:10:11:10 is to require that notice of a suspension or revocation of a grain warehouse license must be posted in all locations where grain is received. The reason is to help ensure that the notice will be more visible to the public.

The effect of 20:10:11:12.1 and 20:10:11:12.2 is to put in procedures for the handling of electronic warehouse receipts. The reasons for the rules are to ensure the receipts are correctly numbered, that only one receipt is issued for the same lot of grain, and to require a power of attorney if someone other than the depositor is handling an electronic receipt.

The effect of the revisions to 20:10:11:14 and 20:10:12:14 is to revise financial statement requirements for applicants for a warehouse or grain buyer license by changing the types of allowed financial statements and what statements are required under what specified circumstances. The reason for the revisions is to revise, clarify, and update financial statement requirements.

The effect of the revisions to 20:10:11:15 and 20:10:12:15 is to revise balance sheet requirements. The reasons for the revisions are to strengthen balance sheet requirements regarding current assets as compared to liabilities and to require an applicant for a class A grain buyer license to show a specified positive net worth.

The effect of the revision to 20:10:12:05 is to require a grain buyer's bond to list each location of the buyer. The reason is to ensure that all locations of the grain buyer are included in the bond.

The effect of 20:10:12:05.01 is to set forth the requirements if an additional bond is furnished by a grain buyer. The reason for the rule is to clarify how and when a

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**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Affidavit of Publication

State of South Dakota

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County of Brookings

Jennifer Milligan of said county, first duly sworn, on oath says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

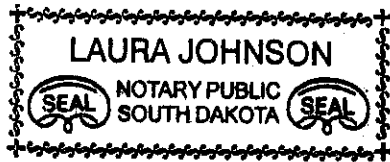
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same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

July 8, 2013

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

five hundred twenty-two dollars and no cents \$522



[Signature]

 9th _____ day of

July

2013

[Signature]

Notary Public in and for the County of Brookings, South Dakota
 My Commission expires August 3, 2017.