



STATE OF SOUTH DAKOTA
FIFTH JUDICIAL CIRCUIT



PRESIDING JUDGE

Jack R. Von Wald

CIRCUIT JUDGES

Jon S. Flemmer

Scott P. Myren

Tony L. Portra

MAGISTRATE JUDGE

Mark A. Anderson

TONY L. PORTRA

Circuit Judge

Michelle Gaikowski

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April 29, 2013

John Smith
Commission Counsel
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

Ray Martinmaas
Martinmaas Dairy, Inc.
35210 176th St.
Orient, SD 57467

Re: In The Matter of the Anderson Seed Co., Inc. Grain Buyer Bond
Spink County File CIV 12-044

Dear Gentlemen:

I am in receipt of a letter dated April 26, 2013, from three grain buyers asking me to reconsider my decision in this matter. I am mindful of the effect that my decision may have on the grain buying industry, but I cannot change my decision because of that fact. My job is to interpret and apply the law the best that I'm able, which is what I have done in this case.

If a party believes my decision is in error, the appropriate procedure is to appeal my decision to the South Dakota Supreme Court. Of course, the other remedy is to encourage the legislature to amend the law so that it will say what those in the industry think it should say.

Sincerely,

TONY L. PORTRA
Circuit Judge

Cc: File