

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

**IN THE MATTER OF THE REQUEST OF H & I) ORDER GRANTING WAIVER
GRAIN COMPANY FOR APPROVAL OF A)
WAIVER OF ARSD 20:10:12:14) GD09-002**

On June 29, 2009, the Public Utilities Commission (Commission) received a filing by H & I Grain Company (H & I Grain) requesting additional time to comply with specific requirements of the grain buyers' administrative rules. On June 30, 2009, H & I Grain and Commission Staff submitted a request for a 30 day ARSD 20:10:12:17 waiver of ARSD 20:10:12:14. Specifically, the request requires H & I Grain submit reviewed financials to the Commission within thirty days to retain a Class A grain buyer's license.

On July 2, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of July 9, 2009, to interested individuals and entities. No petitions to intervene were filed.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-45 and ARSD 20:10:12.

At its ad hoc meeting of July 10, 2009, the Commission considered this matter. Finding that the requested waiver would not be detrimental to grain sellers and is in the public interest, the Commission voted unanimously to grant a waiver of ARSD 20:10:12:14 pursuant to ARSD 20:10:12:17 from July 1, 2009 through July 31, 2009, with H & I Grain retaining its Class A status and with H & I Grain to submit financial statements conforming to ARSD 20:10:12:14 prior to July 31, 2009. It is therefore

ORDERED, that a waiver of ARSD 20:10:12:14 pursuant to ARSD 20:10:12:17 is hereby granted from July 1, 2009 through July 31, 2009, with H & I Grain retaining its Class A status and with H & I Grain to submit financial statements conforming to ARSD 20:10:12:14 prior to July 31, 2009.

Dated at Pierre, South Dakota, this 10th of July, 2009.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.
By: <u><i>Ailaine Kolbo</i></u>
Date: <u>7/14/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner