

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

**IN THE MATTER OF THE SETTLEMENT )  
STIPULATION BETWEEN SOUTH DAKOTA )  
WHEAT GROWERS AND PUC STAFF )**

**ORDER APPROVING )  
SETTLEMENT STIPULATION )**

**GW11-001**

On February 23, 2011, a PUC Warehouse examiner discovered that the South Dakota Wheat Growers (SDWG) facility in Andover, South Dakota was operating without first obtaining the required grain buyer bond and grain buyer license. Upon further investigation it was learned that the facility has been in operation since October 14, 2010, in violation of SDCL 49-45-1 and SDCL 49-45-9. Staff has been in contact with the management of SDWG and the parties have reached a settlement stipulation.

At its regularly scheduled meeting of March 8, 2011, the Commission considered this matter. Staff recommended the Commission approve the settlement stipulation as written. The Commission discussed the penalty amount. Commissioner Hanson and Nelson both suggested a penalty less than Staff's settlement amount.

It is therefore

ORDERED, that the settlement stipulation with a reduced penalty of \$2000 is granted.

Dated at Pierre, South Dakota, this 14 day of March, 2011.

**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: Tina Douglas

Date: 3-14-11

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Steve Kolbeck  
STEVE KOLBECK, Chairman (dissenting)

Gary Hanson  
GARY HANSON, Commissioner

Chris Nelson  
CHRIS NELSON, Commissioner