



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
 Official Court Reporter

101 SE 1st Ave., Suite 201
 P. O. Box 1087
 Aberdeen, SD 57402-1087
 Phone: 605-626-2450
 Fax: 605-626-2491
 Email: 5thcircuit@ujs.state.sd.us

April 29, 2013

RECEIVED
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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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