



Kristie Fiegen, Chairperson  
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Chris Nelson, Commissioner

*South Dakota*

**PUBLIC UTILITIES COMMISSION**

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July 10, 2017

Patricia Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Ave.  
Pierre, SD 57501

RE: GW17-001

Ms. Van Gerpen:

This letter is to inform the Commission that based on the investigation conducted by the Grain Warehouse Division Staff (Staff) up to this point: Staff has determined that it would not be beneficial to seek receivership pursuant to South Dakota Codified Law (SDCL) 49-45-16.1.

Our investigation has shown that the assets of H & I Grain of Hetland, Inc. are encumbered. Therefore, it is our belief that the only beneficiary of a receivership would be the secured creditor, in this case, H&I Grain of Hetland, Inc.'s bank. Staff will continue to follow up with the bank's officials and will update the docket if Staff becomes aware of any new information.

In support of this position, attached is the draft FY16 balance sheet and income statement of H & I Grain of Hetland, Inc. Pursuant to SDCL 49-45-14, the balance sheet and income statement are being filed as confidential.

Sincerely,

Kristen Edwards  
Staff Attorney