

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

IN THE MATTER OF FARMERS ) COOPERATIVE ELEVATOR, AVON, SOUTH ) DAKOTA ) ) )	)	ORDER FOR AND NOTICE OF HEARING ON LESS THAN 10 DAYS' NOTICE  GW21-002
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On July 7, 2021, South Dakota Public Utilities Commission Staff (Staff) filed with the South Dakota Public Utilities Commission (Commission) a Petition to Seek Receivership for Farmers Cooperative Elevator (FCE) located in Avon, South Dakota. In the Petition, Staff alleges FCE is unable to obtain a grain buyer or grain warehouse license and that FCE is unable to obtain a bond. Staff requests authorization to seek a receivership in circuit court to protect producers. Staff also requests that the Commission open a docket to begin the process of taking action on the bond as appropriate, including sending notice to all scale ticket holders.

On July 8, 2021, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv.

The Commission has jurisdiction over this matter pursuant SDCL Chapter 1-26 and 49-45 and 49-43.

Pursuant to ARSD 20:10:01:22.02, the Commission may order a hearing on less than ten days notice if the Commission determines good cause exists therefor. The Commission finds that, because South Dakota grain producers are at risk of financial loss, there is ample reason to hear the Motion on less than ten days' notice.

It is therefore

ORDERED, that a hearing on the Petition to Seek Receivership will be held by the Commission at an ad hoc meeting on July 9, 2021, beginning at 8:00 a.m., CDT in Room 413 of the Capitol Building, 500 E. Capitol Ave., Pierre, South Dakota.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of July 2021.

<b>CERTIFICATE OF SERVICE</b>
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 or by mail.
By: <u>Adam de Huelk</u>
Date: <u>7/8/21</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner