



Chris Nelson, Chairman
Kristie Fiigen, Vice
Chairperson
Gary Hanson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
www.puc.sd.gov

(605) 773-3201

Consumer Hotline
1-800-332-1782

Email
puc@state.sd.us

July 21, 2021

Notice to the Customers of Farmers Cooperative Elevator, Avon South Dakota

On July 9, 2021, pursuant to SDCL 49-45-16 and 49-43-5.6 the South Dakota Public Utilities Commission (Commission) determined the Grain Buyer and Grain Warehouse Licenses held by Farmers Cooperative Elevator, Avon, South Dakota (FCE), located at 104 E Rail Avon SD 57315 terminated as of June 30, 2021. The Commission also ordered Commission staff to open a new docket for the purpose of taking any necessary action on FCE's grain buyer bond. Commission staff conducted an examination of FCE's scale tickets to determine the extent to which grain was received or stored at the FCE facility located in Avon, for which no payment was made. Our examination shows you sold or stored grain to FCE.

Commission staff has completed our examination of the scale tickets and have identified you as a customer of FCE. I have enclosed a summary sheet of our finding with respect to your account. This shows the amount Commission staff believes you are owed for grain that was delivered and for which payment was not received. The summary also shows our determination as to what, if any, portion of the payable would be covered by the surety bond. Grain that is subject to the terms of a voluntary credit sale contract, such as a price-later or deferred payment contract, is not covered by the bond, but may still be recoverable. Grain that is determined to be an open ticket is bond eligible.

We have also included a bond claim form. If you are in agreement with Commission staff's findings regarding your bond claim, fill in your name at the top of the claim form, check the box indicating agreement with Commission staff, sign the form in the presence of a notary, and return it to the Commission along with the supporting documents by January 28, 2022. Pursuant to South Dakota law 49-45-19, claims must be filed within six months of receiving notice of revocation. This letter is intended to serve as your notice.

Please do not hesitate to contact me should you have questions or concerns regarding the claims process or any other items.

Sincerely,

Cody Chambliss
Grain Warehouse Program Manager