

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

**IN THE MATTER OF THE REQUEST FOR  
APPROVAL OF A SETTLEMENT  
STIPULATION REGARDING VIOLATIONS  
OF SDCL 49-45**

) **ORDER ADOPTING**  
) **STIPULATION AND**  
) **SETTLEMENT AGREEMENT**  
)  
) **GW21-005**

On October 26, 2021, the South Dakota Public Utilities Commission staff (Staff) filed with the South Dakota Public Utilities Commission (Commission) a Stipulation and Settlement Agreement between Staff and BK Commodities, LLC, Minden, Nebraska (BK Commodities). In this uncontested matter, BK Commodities admitted to purchasing grain in the State of South Dakota without a license. Staff and BK Commodities worked together to come to an agreement as to the appropriate penalty.

On October 28, 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 Chapters 1-26 and 49-45, specifically, SDCL 49-45-1.

At its regularly scheduled meeting of November 12, 2021, the Commission considered this matter. Having thoroughly reviewed the filings in the docket and after making further inquiry of the parties, the Commission voted unanimously to adopt the Stipulation and Settlement Agreement. It is therefore

ORDERED, that the Stipulation and Settlement Agreement is hereby adopted and shall be incorporated by reference into this Order the same as if it had been set forth in its entirety herein. It is further

ORDERED, that BK Commodities shall pay a civil fine of \$2,000 within 30 days of receipt of this Order Adopting Stipulation and Settlement Agreement.

Dated at Pierre, South Dakota, this 15<sup>th</sup> day of November 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.
By: <u>Karen E. Cremer</u>
Date: <u>11/15/21</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner