

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

**IN THE MATTER OF ROSLYN ELEVATOR, ROSLYN,  
SOUTH DAKOTA**

)                   **ORDER CLOSING DOCKET**  
)  
)                   **GW22-002**

On February 3, 2022, the South Dakota Public Utilities Commission staff (Staff) filed with the South Dakota Public Utilities Commission (Commission) a petition to Suspend the Grain Buyer License pursuant to SDCL 49-45-16 and to seek receivership pursuant to SDCL 49-45-16.1 of Roslyn Elevator, Roslyn, South Dakota (Roslyn). The filing stems from a change in Roslyn's financial position and resulting acts of insolvency that require immediate action. On February 15, 2022, the Commission issued an Order Suspending Grain Buyer License; Order to Apply to the Circuit Court to Appoint a Receiver. On July 1, 2022, the Commission granted Roslyn a grain buyer license subject to conditions, negating the need for receivership. Roslyn did not apply to renew its grain buyer license for the 2023-2024 license year. On November 27, 2023, Roslyn filed an update to the Commission about the liquidation of Roslyn's assets. There were no bond-eligible purchases, therefore, no action is necessary regarding the bond. The PUC still holds the grain buyer and grain warehouse bonds. Commission staff requested that the Commission affirm staff's conclusion that no additional action is necessary going forward and this docket can be closed.

On February 10, 2022, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On June 1, 2022, Roslyn submitted a complete application for an FY23 grain buyer license. On June 7, 2022, Commission staff filed its Memorandum with a recommendation to the Commission. On June 27, 28, and 29, 2022, Roslyn Elevator filed financial information in the docket. On July 29, 2022, Roslyn Elevator filed email communication from US Bank's Legal Counsel. On June 27, 2023, Roslyn Elevator filed a confidential agreement between Roslyn Elevator and Ray and Brendan Lardy.

The Commission has jurisdiction over this matter pursuant SDCL Chapters 49-45 and 49-43 and ARSD chapters 20:10:11 and 20:10:12.

At its regularly scheduled meeting on December 6, 2023, the Commission considered this matter. Commission staff recommended closing the docket. The Commission voted unanimously to close the docket.

It is therefore

ORDERED, that the docket is hereby closed.

Dated at Pierre, South Dakota, this 5th day of December 2023.

<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>Ash M. Rein</u>
Date: <u>12/8/2023</u>

BY ORDER OF THE COMMISSION:

Kristie Fiegen  
KRISTIE FIEGEN, Chairperson

Gary Hanson  
GARY HANSON, Commissioner

Chris Nelson  
CHRIS NELSON, Commissioner