

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

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| IN THE MATTER OF CROSSROADS COOPERATIVE |))))) | AFFIDAVIT OF PAUL KENEFICK-ASCHOFF |
| | | GW22-004 |

STATE OF SOUTH DAKOTA)
 :
COUNTY OF HUGHES)

I, Paul Kenefick-Aschoff, being first duly sworn, state as follows:

1. I am an Inspector and Administrator with the Grain Warehouse Program of the South Dakota Public Utilities Commission (Commission).
2. In the course of my job duties, October 3, 2019, South Dakota Department of Agriculture checkoff remittance staff, reached out to Crossroads Cooperative (Crossroads) and the commission on Crossroads need for a grain buyers license. Attachment 1
3. On December 11, 2019, commission staff sent Crossroads a follow up email to inquire of the need for a license. No reply was ever received. Attachment 2
4. December 13, 2021, while on inspection, it was observed that Crossroads was purchasing grain from South Dakota.
5. On December 14, 2021, in my presence, the company with which I was conducting a routine inspection reached out to Crossroads to discuss the need for a grain buyers license in South Dakota.
6. On January 12, 2022, I left a voicemail with Crossroads to start an inspection.
7. On January 18, 2022, I received a return call from Lisa Carter with Crossroads. I emailed licensing information and sent data request for inspection. Attachment 3 confidential
8. On January 31, 2022, a second data request was sent for inspection information. Attachment 4 confidential
9. On February 1, 2022, first inspection reports were received. Remaining data was to follow. Attachment 5 confidential
10. On February 8, 2022, licensing information was received through email. Also received

word that inspection data would be delayed even further. Attachment 6

11. On February 18, 2022, a third request was sent for inspection information. An email and hard copy mailing included a Memorandum of Adjustment for purchasing grain without proper license or bond and for failure to submit requested data within 5 working days. Requested inspection information was received from February 18, 2022, thru February 23, 2022. Enough information was received, and inspection was completed February 22, 2022, Attachment 7 confidential

12. From July of 2020 until the present approximately 700 loads of grain were purchased by Crossroads from South Dakota. The most recent purchase was February 8, 2022. Attachment 8 confidential

Commission staff reached out to Crossroads on the need for a license back in 2019 with no reply. Commissions data request in 2022 was met with challenges from Crossroads. To date Crossroads has not completed the grain buyer licensing process for South Dakota.

Dated this 25 day of February 2022.



Paul Kenefick-Aschoff

Subscribed and sworn to before me this 25th day of February, 20 22.

 (Notary Public)

My Commission expires: 8/31/2027

