

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

**IN THE MATTER OF THE PUC STAFF'S COMPLAINT )  
AGAINST ORGANIC PRODUCERS OF IOWA, )  
NEBRASKA, AND SOUTH DAKOTA (OPINS), )  
NORTH BEND, NEBRASKA )**

**ORDER ADOPTING  
PROCEDURAL SCHEDULE  
  
GW22-005**

On June 17, 2022, the South Dakota Public Utilities Commission (Commission) received a Complaint against Organic Producers of Iowa, Nebraska, and South Dakota (OPINS) filed by the Commission staff (Staff). The Complaint alleges OPINS made purchases of grain for resale without a valid grain buyer license. Staff requested the Commission assess a penalty against OPINS for violations of SDCL 49-45-1. Staff also requested the Commission refer this matter to the applicable State's Attorney and/or the Attorney General for prosecution in accordance with SDCL 49-45-9.

On June 23, 2022, the Commission electronically transmitted notice of the filing and the answer deadline of July 7, 2022. On July 7, 2022, Staff filed a letter and OPINS' response to Staff's inquiry about the docket. On October 20, 2022, Staff filed a letter requesting the Commission issue a scheduling order setting a hearing date and establishing a procedural schedule in this matter.

The Commission has jurisdiction over this matter pursuant SDCL Chapters 1-26 and 49-45, specifically, SDCL 49-45-1 and 49-45-9.

At its regularly scheduled meeting of October 27, 2022, the Commission considered this matter and voted unanimously to adopt the procedural schedule as proposed by the parties. It is therefore

ORDERED, that the request for adoption of the procedural schedule is hereby granted. It is further

ORDERED, that the parties shall follow the procedural schedule as set forth below except as otherwise ordered by the Commission:

ORDERED that the procedural schedule is as follows:

OPINS' Testimony Due .....	November 18, 2022
PUC Staff Rebuttal Testimony Due .....	December 2, 2022
Witness List/Exhibit Prefiled (and marked) .....	December 9, 2022
Evidentiary Hearing .....	December 15, 2022

Dated at Pierre, South Dakota, this 28<sup>th</sup> day of October 2022.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Karen E. Bremer</u></p> <p>Date: <u>10/28/22</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner