

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

**IN THE MATTER OF THE PUC STAFF'S
COMPLAINT AGAINST ORGANIC
PRODUCER OF IOWA, NEBRASKA, AND
SOUTH DAKOTA (OPINS) COOP FOR
VIOLATIONS OF SDCL 49-45-1**

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**AFFIDAVIT OF PAUL
KENEFICK-ASCHOFF**

GW22-005

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, September 7, 2018, Mike Williams from Organic Producers of Iowa, Nebraska, and South Dakota Coop (OPINS) called with questions on licensing as a grain buyer in South Dakota.
3. Multiple correspondence occurred between commission staff and OPINS from September 2018 to February 2019 on licensing. Attachment 1
4. On February 19, 2019, PUC staff issued the grain buyers license to OPINS. Attachment 2
5. On March 4, 2019, Commission placed license renewal information in the mail.
6. On March 18, 2019, the renewal application for OPINS was received. Email was sent confirming the receipt of application. Reply received that remaining information would come closer to the renewal deadline. Attachment 3
7. On May 14, 2019, reminder email was sent out by the Commission to all companies with an incomplete license renewal.
8. On May 15, 2019, email was received confirming OPINS desire to not operate as a grain buyer or renew its grain buyer license in South Dakota. Attachment 4
9. On November 1, 2021, Mike Williams from OPINS reached out to the Commission with questions on licensing.
10. Multiple correspondence occurred between commission staff and OPINS from November 2021 to February 2022 on licensing. Attachment 5

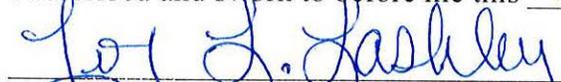
11. Final licensing paperwork was received on March 8, 2022. License was issued on March 10, 2022, with an effective date of March 8, 2022. Attachment 6

Commission staff worked with OPINS multiple times on licensing as a grain buyer. It was expressed at different times by OPINS that our licensing process is cumbersome, and that South Dakota producers are being affected by OPINS inability to buy grain.

Dated this 5th day of May 2022.


Paul Kenefick-Aschoff

Subscribed and sworn to before me this 05 day of may, 2022.

 (Notary Public)

My Commission expires: 08.12.25