

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

IN THE MATTER OF THE PUC STAFF'S)
COMPLAINT AGAINST SOUTH DAKOTA)
HUTTERIAN CO-OPERATIVE OF)
ABERDEEN, SOUTH DAKOTA)

ORDER ADOPTING)
SETTLEMENT AGREEMENT)
AND ASSESSING PENALTY)

GW22-006)

On July 15, 2022, the South Dakota Public Utilities Commission (Commission) received a Complaint against Hutterian Co-Operative of Aberdeen, South Dakota (Hutterian) regarding operating as a grain buyer without a license.

On July 21, 2022, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On August 2, 2022, the Cooperative filed a letter with the Commission requesting a waiver of ARSD 20:10:12:14, requiring a Class A Grain Buyer to have audited or reviewed financial statements. On September 1, 2022, the Commission issued an Order Approving Waiver. On September 1, 2022, the parties filed a settlement agreement with the Commission and requested adoption of settlement agreement.

The Commission has jurisdiction over this matter pursuant SDCL 49-45-1.

At its regularly scheduled meeting of September 27, 2022, 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 Settlement Agreement and assess a \$25,000 civil penalty against Hutterian for violations of SDCL 49-45-1. It is therefore

ORDERED, that the 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 Hutterian shall pay a civil fine of \$25,000 within 30 days of receipt of this Order Adopting Settlement Agreement and Assessing Penalty.

Dated at Pierre, South Dakota, this 28th day of September 2022.

CERTIFICATE OF SERVICE
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><i>David DeHueck</i></u>
Date: <u>9/28/22</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner