

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

IN THE MATTER OF THE PUC STAFF'S)	
COMPLAINT AGAINST BANGHART)	MOTION TO
PROPERTIES, LLC, GETTYSBURG,)	ALLOW TELEPHONIC OR VIDEO
SOUTH DAKOTA)	TESTIMONY
)	
)	GW23-001

COMES NOW Banghart Properties, LLC, a South Dakota Limited Liability Company (hereinafter referred to as Banghart), by and through its attorney of record, Robert Konrad of Konrad Law, Prof. LLC, and for its Motion to Allow Telephonic of Video Testimony in the above-captioned action, does hereby state and allege as follows:

This matter and the other licensing matters are scheduled for evidentiary hearing at 1:00pm CST April 27, 2023. This hearing is being held after Banghart was served notice of evidentiary hearing on the Complaint and licensing matters on less than ten days notice. As such, Banghart has been preparing for evidentiary hearing and making arrangements with its projected witnesses.

Banghart intends to call as a witness in its case in chief Lucas Hauert of ELO CPA's located in Yankton, SD. Due to short notice and scheduling issues, Mr. Hauert is unable to appear in person at the set time for hearing. Lucas is expected to provide supportive and contextual testimony as to the reviewed financial statements offered by Banghart in support of its pending application for Class A grain buyer license. This testimony is necessary and integral to Banghart's case and will offer needed explanation to the Commission.

As such, Banghart respectfully requests that the Commission grant it permission to call Mr. Hauert, CPA by video or telephonic means at the evidentiary hearing set for April 27, 2023.

The undersigned counsel has reviewed this motion with Amanda Reiss, staff attorney for the Commission, and she has no objection to this request.

WHEREFORE, Respondent Banghart requests that the South Dakota Public Utilities Commission:

1. Issue an Order authorizing Banghart Properties, LLC to call Mr. Lucas Hauert, CPA as a telephonic or video witness at the time of the April 27, 2023 evidentiary hearing.

Dated this 24th day of April, 2023.

/s/Robert Thomas Konrad

BY: Robert Thomas Konrad
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Pierre, SD 57501
605-494-3004
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Attorney for Banghart Properties, LLC.

Certificate of Service

The undersigned counsel hereby certifies that a true and correct copy of the forgoing Motion to Allow Telephonic of Video Testimony was served on the following parties in the following manner, on this the 24th day of April, 2023:

Ms. Patricia Van Green
Executive Director
South Dakota Public Utility Commission
500 E. Capitol Ave.
Pierre, SD 57501
patty.vangerpen@state.sd.us

VIA EMAIL, USPS MAIL,
AND ELECTRONIC FILING

Mr. Cody Chambliss
Grain Warehouse Manager
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VIA EMAIL AND USPS MAIL

Amanda M. Reiss
Staff Attorney
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VIA EMAIL AND USPS MAIL

Dated this 24th day of April, 2023.

/s/Robert Thomas Konrad

BY: Robert Thomas Konrad