

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

*Redacted*

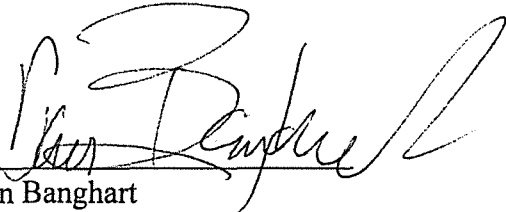
<b>IN THE MATTER OF THE PUC STAFF'S COMPLAINT AGAINST BANGHART PROPERTIES, LLC, GETTYSBURG, SOUTH DAKOTA</b>	)	<b>SECOND AFFIDAVIT OF JAN BANGHART IN SUPPORT OF MOTION TO ALLOW DELIVERY ON OPEN CONTRACTS</b>
	)	
	)	<b>GW23-001</b>
<b>STATE OF SOUTH DAKOTA</b>	)	
	)SS	
<b>COUNTY OF HUGHES</b>	)	

Comes now Jan Banghart, sole, managing member of Banghart Properties, LLC, a South Dakota Limited Liability Company, being first duly sworn under oath, does depose and state as follows:

1. I am the sole, managing-member member of Banghart Properties, LLC (hereinafter referred to as "Banghart"), party to be above-captioned action.
  
2. I previously executed an Affidavit in support of my pending Motion to Allow Delivery on Open Contracts, dated March 18, 2023, and I intend with this Second Affidavit to supplement my previous filing.
  
3. I have attached hereto as "Exhibit A", a true and correct copy of my December 31, 2022 year end financial statements. Exhibit A is an Independent Accountant's Review Report and Financial Statement fully and independently prepared by ELO CPAs and Advisors in Huron, South Dakota. Although this document is dated March 4, 2023, the documents were not provided to me until March 21, 2023.
  
4. I do hereby offer Exhibit A in support of my pending motion, and also provide the same to PUC staff to aid in there preparation of any response to my motion.

Further your affiant sayeth naught.

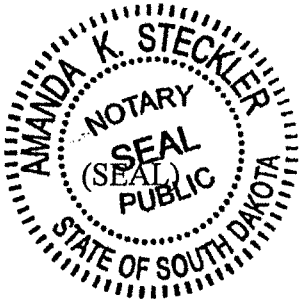
Dated this 22nd day of March, 2023.

  
Jan Banghart

Sworn and subscribed to before me this 22<sup>nd</sup> day of March, 2023.

Amanda K. Steckler  
South Dakota Notary Public

My commission expires: 3/12/2026



### Certificate of Service

The undersigned counsel hereby certifies that a true and correct copy of the forgoing Second Affidavit in Support of Motion to Allow Delivery of Open Contracts was served on the following parties in the following manner, on this the 22nd day of March, 2023:

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

VIA EMAIL, USPS MAIL,  
AND ELECTRONIC FILING

Mr. Cody Chambliss  
Grain Warehouse Manager  
South Dakota Public Utility Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[cody.chambliss@state.sd.us](mailto:cody.chambliss@state.sd.us)

VIA EMAIL AND USPS MAIL

Amanda M. Reiss  
Staff Attorney  
South Dakota Public Utility Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[amanda.reiss@state.sd.us](mailto:amanda.reiss@state.sd.us)

VIA EMAIL AND USPS MAIL

Dated this 22nd day of March, 2023.

A handwritten signature in black ink, appearing to read 'Robert Thomas Konrad', written over a horizontal line.

BY: Robert Thomas Konrad  
1110 East Sioux Avenue  
Pierre, SD 57501  
605-494-3004  
[rob@xtremejustice.com](mailto:rob@xtremejustice.com)  
Attorney for Banghart Properties, LLC.