

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

**IN THE MATTER OF THE PUC STAFF'S )  
COMPLAINT AGAINST HIGH COUNTRY )  
MERCANTILE, INC. )**

**ORDER APPROVING )  
REQUEST TO SEEK )  
INJUNCTION )**

**GW19-002**

On August 1, 2019, South Dakota Public Utilities Commission Staff (Staff) filed with the South Dakota Public Utilities Commission (Commission) a Complaint Against High Country Mercantile, Inc. (HCM). In the Complaint, Staff alleges HCM is buying grain without a grain buyer license in violation of SDCL 49-45-1.

On August 1, 2019, the Commission electronically transmitted notice of the filing and the answer deadline of August 21, 2019, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. The parties to this proceeding are Staff and HCM.

In its Complaint, in addition to seeking penalties, Staff requested the Commission grant approval to seek an injunction against HCM for the purpose of enjoining HCM from further purchases of grain in South Dakota without a grain buyer license.

Staff's request to seek an injunction was heard by the Commission at an ad hoc hearing on August 7, 2019. Staff and HCM appeared at the hearing.

The Commission has jurisdiction over this matter pursuant SDCL Chapters 1-26 and 49-45, specifically, SDCL 49-45-1. Finding that good cause existed to apply to the circuit court for an injunction, the Commission voted 2-1 to seek an injunction. Commissioner Hanson dissented.

It is therefore

ORDERED, that Staff's request to seek an injunction is hereby granted.

Dated at Pierre, South Dakota, this 13<sup>th</sup> day of August 2019.

<b>CERTIFICATE OF SERVICE</b>
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>Adam DeHueck</u>
Date: <u>8/13/19</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

GARY HANSON, Chairman  
Dissenting

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner