

**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
SETTLEMENT AND FINE**

GW19-002

On August 1, 2019, South Dakota Public Utilities Commission staff (staff) filed with the 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 7, 2019, the Commission heard the Complaint, deferred the issue of a fine, and directed staff to seek an injunction in circuit court pursuant to SDCL 49-45-1. On August 13, 2019, staff filed an Amended Complaint. In the Amended Complaint, staff alleges HCM has made over 100 purchases without a license and requests the Commission issue an order finding HCM to be in violation of SDCL 49-45-1 and issue a fine for the violations. On September 3, 2019, this matter was deferred until the October 1, 2019, Commission meeting.

On September 30, 2019, the parties filed a Stipulation and Settlement Agreement and a Joint Motion for Approval of Stipulation and Settlement Agreement (Joint Motion).

In the Agreement, the parties stipulated to a fine of \$15,000 for the violation of SDCL 49-45-1.

At its regularly scheduled meeting of October 1, 2019, the Commission considered this matter. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-45. The Commission voted unanimously to grant the Joint Motion.

It is therefore

ORDERED, that the Joint Motion is hereby granted, and the Company shall pay a fine of \$15,000. It is further

ORDERED, that the fine shall be paid within thirty days of the date of this Order.

Dated at Pierre, South Dakota, this 2nd day of October 2019.

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.	
By:	<u>Karen E. Cremer</u>
Date:	<u>10/02/19</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner