

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

**IN THE MATTER OF THE RECEIVERSHIP OF ) ORDER CLOSING DOCKET  
GRAIN DEALER BONDS OF BRITTON DURUM )  
CORPORATION ) GD99-001**

On December 30, 1998, the South Dakota Public Utilities Commission (Commission) was granted intervention in the Brown County case of Ted Mathews v. St. Paul Mercury Insurance Company, Civil 98-0857 for purposes of becoming a receiver under the facts as pled in the Complaint in this action. On December 31, 1998, the Circuit Court, Fifth Judicial Circuit, Judge Eugene E. Dobberpuhl, presiding, appointed the Commission as the receiver of bond proceeds of Britton Durum Corporation. On January 6, 1999, the individual Commissioners of the Commission executed oaths of receivers and the same were filed with the Circuit Court in Brown County. The Commission conducted a duly noticed hearing on February 18, 1999, in Aberdeen, South Dakota, for purposes of considering claims against the bond proceeds. A second duly noticed hearing was held on May 4, 1999, in Pierre, South Dakota, for the same purpose as the first hearing. At its May 12, 1999, meeting, the Commission voted to accept certain claims and it entered a proposed decision on May 20, 1999. On June 3, 1999, Judge Eugene E. Dobberpuhl entered an Order approving the decision of the Commission. On August 4, 1999, the Commission disbursed the proceeds of the bond of Britton Durum Corporation in accordance with its findings and the Court's Order.

At its duly noticed August 17, 1999, meeting, the Commission considered the matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-45. The Commission unanimously voted to close the docket. It is therefore,

ORDERED, that Docket GD99-001 is hereby closed.

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of August, 1999.

<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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Alvin Kalbo</i></u>
Date: <u>8/27/99</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner