

## Memorandum

TO: Commissioners Fedorchak, Christmann, and Kalk  
Legal Division

FROM: <sup>CF</sup> Casey Furey and <sup>SR</sup> Sue Richter, Advocacy Staff

DATE: June 26, 2015

RE: Public Service Commission, vs Lacy Guyton  
Hay Buyer Complaint  
Case No. GE-15-93

The Commission received a written complaint alleging Lacy Guyton operated as an unlicensed hay buyer in North Dakota. A formal case was opened and on March 25, 2015, the Commission appointed Casey and I advocacy staff in this matter.

We conducted an investigation into the allegations. As part of our investigation, we contacted a number of individuals we believed may have knowledge about the matter. We also visited on several occasions with a Bureau of Criminal Investigation (BCI) representative who was also investigating the unlicensed hay buyer activities.

The BCI representative told staff the BCI was closing its investigation because it was unable to find proof, beyond a reasonable doubt, that the alleged unlicensed hay buyer engaged in any criminal activity in North Dakota.

A number of individuals that we contacted provided phone numbers for Lacy Guyton. Staff was unable to reach Lacy Guyton via any of the phone numbers as they either belonged to someone else or were no longer in service. Therefore, Staff was unable to talk to Lacy Guyton directly to discuss the allegations.

Ms. Guyton's physical address also is unknown and the Commission needs a physical address to obtain service of documents. Without being able to obtain service of documents on Ms. Guyton, the Commission cannot proceed.

Staff has concluded the Commission doesn't have the necessary factual information needed to support a formal complaint nor a means to obtain the needed factual information. Therefore, Staff recommends the Commission take no further action in this matter and the Commission close the formal case.

If the Commission wants to discuss this matter, we will schedule a work session. If we do not hear from the Commission by July 1, 2015, Staff will prepare a motion to close the case for the Administrative Matters Agenda under Consent Matters for the next Commission Meeting.

Thank you.

2

GE-15-93  
Memorandum

Filed: 6/26/2015

Pages: 1

Public Service Commission Staff

Casey Furey & Sue Richter