

STEVE DANNER
GENERAL MANAGER
AG WEST SUPPLY
9055 RICKREALL RD.
RICKREALL OR 97371



AG WEST SUPPLY

August 19, 2009

Representative Paul Evans
900 Court St. NE, H-281,
Salem, Oregon 97301

Dear Representative Evans,

Ag West Supply is a co-operative business that serves agricultural producers in Polk County and 15 other counties in Western Oregon. We have 150 employees, making living wages, and had a record sales year in 2014 with \$64M in sales. We have stores located in Hillsboro, Rickreall, Woodburn, Harrisburg, Stayton and Madras and service the farmer's needs for equipment, parts and service, petroleum, chemicals and fertilizer, and general farm supplies. We have over 5000 farmer owners, have been in business for 83 years, and have been an Agco/Hesston dealer most of those years.

I am writing to ask for your support of HB 3164.

One of the purposes of the Oregon dealer protection statutes (ORS 646A.300 to 646A.322) is to prohibit suppliers from substantially changing a dealers competitive circumstances without good cause. The law is intended to protect dealers from changes imposed by a supplier if the changes are substantial and negatively impact the dealer's business.

The Oregon Equipment Dealer Protection Law was passed to protect farm equipment dealers from changes imposed by farm equipment manufacturers if those changes substantially and negatively impact the dealer's business. This Legislation (HB3164) provides clarification to the original intent of the Statutes prohibiting suppliers from "substantially changing the competitive circumstances" of the dealer without good cause. The intent of this legislation is to clarify for the person(s) interpreting the law that even though the retail agreement may allow an act, event or omission it is not the act, event or omission that determines if there has been a "substantial change in the competitive circumstances of the dealer." Instead it is this Law that makes that determination.

We have, as part of our Sales & Service agreement, been assigned a specific geographic Area of Responsibility (called an AOR). It is our responsibility to sell equipment and meet the expectations and requirements of the manufacturers in that area. For 50 years, we have understood that our AOR belongs to us and we conduct business and meet the Market Share requirements of the manufacturers we represent. We purchase parts, special tools, invest in libraries and training, stock and sell machinery and product support. Imagine, after decades of selling equipment and building a machine population, receiving a letter like the one attached. One of our primary suppliers simply announce that the same product, same models, with same price book will be made available to dealers all around our AOR.

OTHER LOCATIONS

230 SOMMERVILLE LOOP 185 W MAIN EXT 36 N.W. A ST 1125 WILCO RD 2929 N PACIFIC HWY
HARRISBURG, OR 97446 HILLSBORO, OR 97123 MADRAS, OR 97741 STAYTON, OR 97383 WOODBURN, OR 97071

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We do not believe this to be in conformance with the intent of Dealer Protection Statutes. It has been our understanding our suppliers would not allow another dealer to establish a physical presence (location) inside our assigned trade area.

We believe the passage of HB 3164 will make it clear to the suppliers and manufacturers such activity is a violation of the state law.

Your support of HB 3164 is appreciated.

Sincerely,

Steve Danner
503-363-2332

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HARRISBURG, OR 97446 HILLSBORO, OR 97123 MADRAS, OR 97741 STAYTON, OR 97383 WOODBURN, OR 97071



AGCO
4205 River Green Parkway Duluth, GA 30096-2563 USA
www.AGCOcorp.com

Telephone 770.813.9200

June 21, 2013

(CERTIFIED MAIL)
(RETURN RECEIPT REQUESTED)



TO: Existing Dealers in Oregon Within 75-Mile Radius Of New Location

Re: Notice Pursuant To Oregon Statute (ORS) §646A.314

Pursuant to Oregon Statute §646A.314, this letter is to notify you that AGCO Corporation ("AGCO") either has, or intends to, enter into a Dealer Agreement with Peterson Machinery Co., (*hereinafter* "New Dealer") with locations at 30815 Hwy 34 SW, Albany, OR 97321, 2300 Henderson Ave., Eugene, OR 97401, 1434 So. Sixth Street, Klamath Falls, OR 97601, 2600 Biddle Road, Medford, OR 97504, 1570 Maple Street, North Bend, OR 97459, 4421 NE Columbia Boulevard, Portland, OR 97218, 3635 SW Airport Way, Redmond, OR 97756, 3850 Turner Rd. SE, Salem, OR 97302, 1626 30th Street, Springfield, OR 97477 and 1238 W. 2nd, The Dalles, OR 97058. These locations will commence selling one or more of the following brands on or about July 15, 2013:

AgChem®, Challenger®, Hesston®, Massey Ferguson®, Spra-Coupe, Willmar

The Dealer Agreements with the aforesaid New Dealer do not assign areas of responsibility; however, the name and address of all AGCO dealers within a 75-mile radius of these locations and who will receive a copy of this notice are as follows:

Ag West Supply
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Doerfler Tractor Sales, Co.
FEI, Inc.
Fischer Mill Supply
Floyd A. Boyd Co.
Hood River Supply Association
Morrow County Grain Growers, Inc.
Pelican Tractor Co., Inc.
Western Equip. & Supply, Inc.
Yakima Implement & Irrigation

Harrisburg, OR
Hillsboro, OR
Madras, OR
Rickreall, OR
Woodburn, OR
Aumsville, OR
Yakima, WA
Oregon City, OR
Merrill, OR
Hood River, OR
Wasco, OR
Klamath Falls, OR
Roseburg, OR
Yakima, WA

Sincerely,


David L. Nielsen
Manager, Dealer Compliance
AGCO Corporation