

**22827/22834**

LEGAL ISSUES

I.

Whether BHP is Rendering or has Extended Service Within  
WREA's Territory in Violation of S.D.C.L. § 49-34A-42.

The Trial Court held in the negative and reversed the PUC.

II.

Whether WREA has the Right to Provide Future Electrical Service  
to the Rapid City Waste Treatment Facility Located within  
WREA's Assigned Service Area.

The Trial Court held in the negative and reversed the PUC.