

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

**IN THE MATTER OF THE FILING BY BLACK
HILLS POWER AND LIGHT COMPANY FOR
APPROVAL OF AN ELECTRIC SERVICE
TERRITORY AGREEMENT.)**

**ORDER GRANTING
APPROVAL OF THE
SERVICE TERRITORY
AGREEMENT
EL95-025**

On September 18, 1995, the Public Utilities Commission (Commission) received a filing by Black Hills Power and Light Company (BHP&L) for approval of an electric service territory agreement. The agreement is between BHP&L and West River Electric Association (WREA). Both companies agreed that BHP&L would give WREA the right to serve the "frozen customers" in the affected area in exchange for kilowatt-hours. Both companies believe this agreement will improve future reliability while eliminating duplication of facilities. Affected customers have been notified and have signed WREA membership cards.

The specifics related to the accounts are:

1. TN 1N RNG 08E SEC 08 SUBD 0000 BLK 0 SW 1/4 NE 1/4 NE 1/4
2000 Sedivy Lane, Rapid City Meter number 5425 and 59088
2. TN 1N RNG 08E SEC 08 SUBD 6860 NW 1/4 SE 1/4 NE 1/4
2001 Sedivy Lane, Rapid City Meter number 23402
3. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 1 LOT 17 & E 50' OF LOT 15-18 LESS
RTY
1904 Olive Lane, Rapid City Meter number 36282
4. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 1 LOT 16 & E 50' OF LOT 15-18 LESS
RTY
1908 Olive Lane, Rapid City Meter number 40339
5. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 1 LOT 2 & E 50' OF LOT 15-18 LESS
RTY
1903 Valley Drive, Rapid City Meter number 37634
6. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 2 LOT 1-4 LESS RTY
1903 Olive Lane, Rapid City Meter numbers 62175, 54201, 75261
7. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 2 LOT 7 & N 1/2 OF LOT 8
1929 Olive Lane, Rapid City Meter number 54365
8. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 2 LOT 9 & S 1/2 OF LOT 8

8. TN 1N RNG 08E SEC 08 SUBD 6860 BLK 2 LOT 9 & S 1/2 OF LOT 8
1923 Olive Lane, Rapid City Meter number 54513

On December 12, 1995, at its regularly scheduled meeting, the Commission considered the request for approval of the exchange. Commission staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that the release of frozen customers in the service territory will avoid unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient use and development of the electric systems of BHP&L and WREA. The Commission therefore concludes that the release of frozen customers in the service territory is in the public interest and it shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED that the request seeking approval of a release of frozen customers in the service territory is hereby granted.

Dated at Pierre, South Dakota, this 12 day of December, 1995.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Bob G. Williams</u>
Date:	<u>12/20/95</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Kenneth Stofferahn
KENNETH STOFFERAHN, Chairman

James A. Burg
JAMES A. BURG, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner