

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER of the Complaint of)
SHOSHONE CONDOMINIUM HOTEL)
OWNERS ASSOCIATION, a Montana)
Corporation,)

REGULATORY DIVISION

Complainant,)

DOCKET NO. D2013.9.71

v.)

AFFIDAVIT OF STACY L. TSCHIDER

ABACO ENERGY SERVICES,)
LLC, a North Dakota Limited Company,)
Defendant.)

STATE OF NORTH DAKOTA)
: ss.
County of Burleigh)

STACY L. TSCHIDER, being first duly sworn upon his oath, deposes as says:

1. My name is Stacy Tschider. I am the primary owner and manager of ABACO Energy Services, LLC ("ABACO"). I make this affidavit based upon my personal knowledge of the facts set forth in my affidavit.

2. ABACO acquired the propane delivery system located at the Big Sky Ski Resort from NorthWestern Energy in 2007. The system was never part of NorthWestern's utility operations in Montana. From its inception, it was a private business arrangement with the owners of the ski resort.

3. The system consists of two buried propane tanks, approximately 19,500 feet of plastic pipe, and vaporizers which inject the propane into the pipe for delivery to multiple locations within the ski resort. The propane tanks, piping, and associated facilities are all located on the property of the ski resort owner, Boyne USA. The system is an alternative to

having multiple above ground propane storage tanks in the resort. Instead of having another local propane supplier deliver propane to above ground storage tanks by truck, we deliver propane to our customers using our buried system.

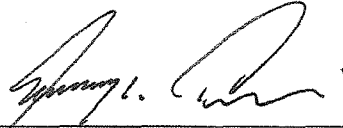
4. With one exception, no individual property owner within the resort is required to purchase propane from ABACO. The company has no franchise to serve the Big Sky Ski Resort with propane, and individual property owners are free to install their own propane storage tanks and buy propane from whatever company they choose.

5. The one exception is Boyne USA, the owner of the ski resort. In order to induce what was then the Montana Power Company to build and operate the propane delivery system, Boyne USA agreed to purchase certain minimum volumes of propane for a contractually defined period of time. At the end of the contract period, the contract vests in Boyne USA the right to purchase the propane delivery system.

6. The Montana Power Company built the system in 1996 under a contract with Boyne USA. It was transferred to NorthWestern when the Montana Power Company was acquired by NorthWestern in 2002. As part of an effort to focus on its utility operations, NorthWestern undertook an effort to dispose of its non-utility properties, including the propane delivery system at the Big Sky Ski Resort. I was contacted in late 2006 by an agent of NorthWestern's and asked if I had any interest in purchasing the system. I did, and eventually acquired not only the propane delivery system at the Big Sky Ski Resort, but another propane delivery system at the Anaconda Job Corp.

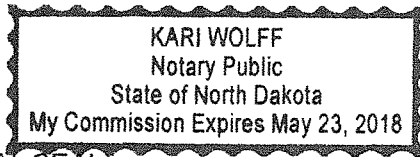
7. ABACO does not sell propane to the Shoshone Condominium Hotel Owners Association, the Complainant in this proceeding. Although we deliver propane at that location as part of our agreement with Boyne USA, it is Boyne USA which is our customer at that location, and pays us for what we deliver.

FURTHER YOUR AFFIANT SAYETH NOT.

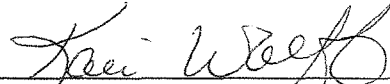


Stacy L. Tschider

SUBSCRIBED AND SWORN TO before me this 11th day of November, 2013.



(NOTARIAL SEAL)



Notary Public for the State of North Dakota

Printed Name Kari Wolff

Residing at Bismarck, North Dakota

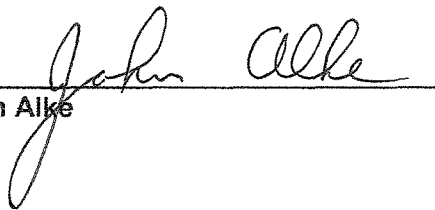
My Commission expires 05/18/2018
mm/dd/yyyy

CERTIFICATE OF MAILING

I certify that the foregoing **AFFIDAVIT OF STACY L. TSCHIDER**, was served upon the following by mailing a true and correct copy thereof on this 12th day of November 2013, addressed as follows:

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