

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,

Complainant,

v.

ABACO ENERGY SERVICES, LLC a North
Dakota Limited Company,

Defendant.

UTILITY DIVISION

Docket No. D D2013.9.71

ABACO ENERGY SERVICES, LLC'S MOTION FOR EXTENSION OF TIME

Pursuant to Order No. 7393(c), the Commission directed ABACO Energy Services, LLC ("ABACO") to provide it with information sufficient to meet the minimum rate case filing standards by April 28, 2017. However, at ABACO's request, the Commission delayed this submission requirement until September 30, 2017. See Notice of Commission Action dated May 15, 2017.

In addition, in its work session held to discuss this Docket prior to the issuance of Order No. 7393(c), at least one of the Commissioners suggested the parties meet and conduct discussions about services and rates in an effort for the parties to work together, compromise and agree without the necessity of further Commission action. While ABACO timely filed a Notice of Appeal of Order No. 7393(c) with the District Court on January 20, 2017, ABACO agreed

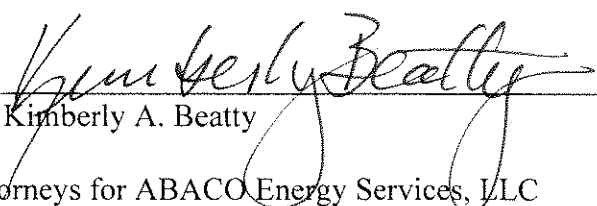
with Commission Staff counsel to informally stay those proceedings, delaying any response by the Commission to the Notice of Appeal and allowing the parties an opportunity to discuss the issues in the Docket in an effort to try to reach a mutually agreeable compromise.

ABACO has filed its contracts with this Commission as required by Order No. 7393(c) and has continued to use the RFP process detailed in this Docket to determine current commodity supply rates. ABACO has also retained experts in rate design, analysis, and Commission process in an effort to examine ABACO's past history and assist it to prepare the information necessary to meet the minimum rate case filing requirements. ABACO has also provided financial and expense information to the Montana Consumer Counsel, Boyne, and Shoshone, and the parties have had several discussions among the lawyers as well as in person with the parties in the past several months. While the parties have not yet reached any definitive agreements, ABACO believes there is a benefit in continued discussions among the parties. Should the parties ultimately be unable to reach agreement, ABACO has reserved its right to pursue its appeal of this Commission's Order No. 7393(c) and seek resolution by the District Court.

For these reasons, ABACO seeks an additional extension of time until December 31, 2017 in which to continue its discussion with the parties; and if those discussions are not successful, to elect to either pursue the appeal it has previously filed, or to file the information necessary to meet the minimum rate case filing requirements as requested by this Commission.

DATED this 2nd day of October, 2017.

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

By 
Kimberly A. Beatty
Attorneys for ABACO Energy Services, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of October, 2017, a true and correct copy of the foregoing was this day served as follows:

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