

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

<p>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.</p>	<p>UTILITY DIVISION Docket No. D2013.9.71</p>
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**ABACO ENERGY SERVICES, LLC'S STATUS REPORT TO COMMISSION AND
JOINT REQUEST OF THE PARTIES FOR ADDITIONAL TIME**

This matter is before the Public Service Commission of Montana ("Commission"), upon the Complaint filed by the Shoshone Condominium Hotel Owner's Association ("Shoshone") filed on September 30, 2013 related to the jurisdiction of this Commission over the delivery of propane at Big Sky Ski Resort owned and operated by ABACO Energy Services, LLC ("ABACO") primarily under a long-term contract between ABACO and Boyne USA ("Boyne").

On December 22, 2016, the Commission issued Final Order 7393c, finding ABACO is a public utility regulated by this Commission and requiring ABACO to make a rate case filing with the Commission to set rates for its services at the Big Sky Ski Resort.

In the past year, the parties of record in the above-captioned matter, ABACO, Shoshone, Boyne, and the Montana Consumer Counsel ("MCC"), have exchanged cost, expense, and

operations information. With this exchange of information, the parties have had serious discussions related to negotiated rates and terms of service. Those discussions are ongoing, and draft settlement agreements and/or term sheets have been exchanged and are actively being evaluated by Boyne and Shoshone (who propane use collectively comprise approximately 85% of ABACO's total load) and negotiated with ABACO. Those agreements will also be shared with the MCC and its input will be solicited.

ABACO, Boyne and Shoshone would like to avoid the cost and expense of a rate case, which would in turn be recovered by ABACO in rates, potentially negating or offsetting any other rate savings. However, following several other extensions previously granted by this Commission, ABACO was directed to file a rate case earlier this month. The parties acknowledge that obligation, but because of their ongoing negotiations and because the interested parties were actively trying to minimize costs to customers, ABACO has not yet filed that rate case. Because all of the parties desire to comply with the Commission's orders, but none of them want to incur additional costs if not ultimately necessary, ABACO, Boyne and Shoshone jointly request additional time to complete their evaluation and negotiations before ABACO incurs additional expense with preparing and filing any rate case. ABACO, Boyne and Shoshone jointly request an extension of time until March 15 for ABACO to file any rate case should the parties be unable to agree on negotiated rates and terms of service. The parties agree ABACO shall file an interim status report by February 15 to advise the Commission of the parties progress towards reaching negotiated rates.

Boyne and Shoshone have been contacted and both have consented to the filing of this Status Report and the extensions requested herein.

DATED this 25th day of January, 2018.

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 25th of January, 2018, a true and correct copy of the foregoing was this day served as follows:

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