

Service Date: February 21, 2017

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

IN THE MATTER OF the Complaint of)	REGULATORY DIVISION
SHOSHONE CONDOMINIUM HOTEL)	
OWNERS ASSOCIATION, a Montana)	DOCKET NO. D2013.9.71
Facility)	
)	
Complainant,)	
)	
v.)	
)	
ABACO ENERGY SERVICES, LLC)	
a North Dakota Limited Company,)	
)	
Defendant.)	

NOTICE OF COMMISSION ACTION

On September 30, 2013, Shoshone Condominium Hotel Owner’s Association (“Shoshone”) filed a Complaint asking the Montana Public Service Commission (“Commission”) to take jurisdiction over the propane delivery system at the Big Sky Ski Resort owned by ABACO Energy Services, L.L.C. (“ABACO”).

On December 22, 2016, the Commission issued Final Order 7393c, which required ABACO to file the following information with the Commission: “Consistent with Paragraphs 60 and 61 of this Order, ABACO must provide the Commission all of its contracts and agreements currently in effect by January 31, 2017” Final Order 7393c ¶ 76 (Dec. 22, 2016). In Paragraph 60 of Final Order 7393c, the Commission found that ABACO’s existing contracts with end-users would remain in place, pursuant to Mont. Code Ann. § 69-3-305(6), until regulated rates from the Commission could be implemented. *Id.* ¶ 60. In Paragraph 61 of Final Order 7393c, the Commission stated,

In order to monitor this requirement, ABACO must file its existing contracts and agreements with the Commission by January 31, 2017. If an agreement to provide propane services is not in the form of a contract for certain customers, ABACO must explain how service has been provided in the past and how it will continue to provide service consistent with these past practices. To the extent variation is

permitted in rates charged to customers as described in Paragraphs 58 and 59 of this Order, ABACO must provide an account of its billing practices that permit such variation.

Id. ¶ 61 (citing *See Qwest Corp. v. Mont. Dep't of Pub. Serv. Regulation*, 2007 MT 350, ¶¶ 33–39, 340 Mont. 309, 174 P.3d 496). Paragraphs 58 and 59 of Final Order 7393c expressed concern with allegations of discriminatory pricing among ABACO's customers.

On January 31, 2017, ABACO filed Motion for Extension of Time ("Motion") to provide this information to the Commission. ABACO requested a deadline of February 24, 2016. On February 21, 2016, the Commission granted ABACO's Motion at a regulatory scheduled work session. Therefore, ABACO's Motion is GRANTED in its entirety.

DONE AND DATED this 21st day of February, 2017, by a vote of 5-0.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman
TRAVIS KAVULLA, Vice Chairman
ROGER KOOPMAN, Commissioner
BOB LAKE, Commissioner
TONY O'DONNELL, Commissioner