

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	)	
	)	ORDER No. 7393d
Complainant,	)	
	)	
v.	)	
	)	
ABACO ENERGY SERVICES, LLC	)	
a North Dakota Limited Company,	)	
	)	
Defendant.	)	

**ORDER GRANTING ABACO ENERGY SERVICES, LLC’S MOTION FOR  
EXTENSION OF TIME**

**PROCEDURAL HISTORY**

1. 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”).

2. On December 22, 2016, the Commission issued Final Order 7393c, which required ABACO to “file with the Commission information sufficient to meet the minimum rate case filing standards by April 28, 2017.” Final Order 7393c ¶ 76 (Dec. 22, 2016).

3. On April 26, 2017, ABACO filed Motion for Extension of Time to provide this information to the Commission. ABACO requested a deadline of September 30, 2017. On May 8, 2017, the Commission granted ABACO’s Motion at a regulatory scheduled work session. The Commission granted ABACO’s Motion in a Notice Commission Action on May 15, 2017.

4. On October 2, 2017, ABACO filed a second Motion for Extension of Time to file the information required in ¶ 76 of Final Order 7393c. ABACO requests December 31, 2017 as

the deadline for this information. On October 17, 2107, the Commission held a regularly scheduled work sessions discuss and act on ABACO's Motion.

### **DISCUSSION, ANALYSIS, FINDINGS & CONCLUSIONS**

5. The Commission GRANTS ABACO's request for extension to provide the information required in in ¶ 76 of Final Order 7393c by December 31, 2017. The Commission notes, however, that December 31, 2017 is a Sunday and Monday, January 1, 2018, is a state holiday. Therefore, the Commission grants the extension to January 2, 2018.

6. The Commission notes that this is the second request for extension that it has granted for the benefit of ABACO. This is in addition to the accommodations made in Final Order 7393c to allow ABACO to file a rate case in a reasonable amount of time. *See* Final Order 7393c ¶¶ 60–61 (permitting ABACO to retain its existing contracts as allowed under Mont. Code Ann. § 69-3-305(6)). By the time ABACO files the information sufficient to meet the minimum rate case filing standards on December 31, 2017, the Commission's decision finding subject matter jurisdiction over ABACO will already be over a year old.

7. In order to prevent further undue delay, ABACO is on notice that failure to adhere to this December 31, 2017, deadline will result in an immediate application of fines under Mont. Code Ann. §§ 69-3-209 and -206. The Commission may fine any public utility up to \$1,000 for failure to follow any order made by the Commission. *Id.* The Commission will seek enforcement in district court of any violation of this Order without further notice to the parties in this docket.

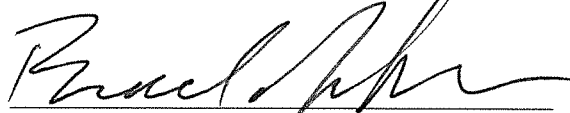
### **ORDER**

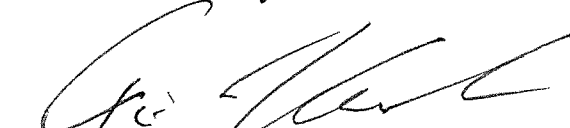
8. ABACO must file with the Commission information sufficient to meet the minimum rate case filing standards by January 2, 2018.

9. ABACO's failure to meet this deadline will result in immediate application of fines pursuant to Mont. Code Ann. §§ 69-3-209 and -206.

DONE AND DATED this 17th day of October, 2017, by a vote of 5 to 0.

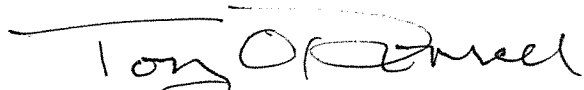
BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

  
BRAD JOHNSON, Chairman


  
TRAVIS KAVULLA, Vice Chairman

  
BOB LAKE, Commissioner

  
ROGER KOOPMAN, Commissioner

  
TONY O'DONNELL, Commissioner

ATTEST:

  
Rhonda J. Simmons  
Commission Secretary

(SEAL)

