

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

**SOUTHERN MONTANA ELECTRIC
GENERATION AND TRANSMISSION
COOPERATIVE, INC,**

Debtor.

Case No. **11-62031-11**

O R D E R

At Butte in said District this 22nd day of April, 2014.

The Debtor has moved the Court to expedite the hearing on its filed amended disclosure statement (Document No. 1334) filed April 21, 2014), together with objections thereto, and, assuming that its amended disclosure statement is approved by the Court, to tentatively set a date for a hearing on the Debtor's plan of reorganization. The Motion was made under Rule 9006(c), which permits the reduction in time of otherwise required time periods for hearings, filed matters and objections, and Local Rule 9013-1(g)(1)(Q), which permits the Court to enter an Order approving the expediting of hearings and objections without a preapproval period for objections.

As provided under Rule 9006(c), the Court for cause shown may reduce the time otherwise set for notice or time associated with procedural matters, including a hearing on a disclosure statement (which ordinarily would be made on 28 days notice under Rule 3017(a)), objections thereto or matters associated with a plan of reorganization. Under Local Rule 5070-1(b), the Court is in charge of the scheduling of hearings on disclosure statements and plans.

As noted in the Court's Order of April 10, 2014, Doc. 1327, in follow up to the status conference conducted between the Court and all counsel, the Debtor raised the concept of a hearing on its disclosure statement on May 9, 2014 (Great Falls setting) and on an approved plan of reorganization on May 20, 2014 (Billings setting). The Court indicated that it would look at setting the time for objections to the disclosure statement on May 1, 2014 under that schedule. No person present on the status conference call voiced a concern over the accelerated time deadlines and some counsel indicated that it would be their preference to accelerate matters if possible, given the extended time that this case has taken under the Trustee and the ever increasing fees and costs placed upon the Debtor and the Estate as a result.

At the time of the status conference, the Debtor indicated that it intended to file its plan and disclosure statement on Friday, April 18, 2014. The Debtor indicated in its Motion that due to the need to make additional unexpected clarifying changes to the disclosure statement and proposed plan, they were filed on Monday, April 21, 2014 as Doc. 1334. The Debtor is willing to accept a modified objection due date to accord parties in interest additional time commensurate with the weekend delay (April 18 to April 21) in getting the disclosure statement and plan filed so that objections would be due to the Debtor on or before May 5, 2014 (based upon a disclosure statement hearing date of May 9) rather than May 1, 2014 as proposed by the Court in the Order of April 10th.

Upon review of the Motion and in order to move this process to a conclusion in light of the time that has passed since the initial filing, and for good cause shown, the Court hereby orders the following:

IT IS ORDERED that Debtor's Motion to Expedite Hearing on Disclosure Statement

and Plan of Reorganization under Rule 9006(c), filed on April 21, 2014 (Doc. 1338) is

GRANTED.

IT IS FURTHER ORDERED and NOTICE IS HEREBY GIVEN:

1. The last day to file objections to Debtor's amended disclosure statement shall be **May 5, 2014;**
2. Hearing on Debtor's amended disclosure statement will be held on **FRIDAY, MAY 9, 2014, at 9:00 a.m.**, or as soon thereafter as counsel can be heard, in the **CHARLES N. PRAY COURTROOM, THIRD FLOOR of the MISSOURI RIVER COURTHOUSE, 125 CENTRAL AVENUE WEST, GREAT FALLS, MONTANA;**
3. Hearing on Debtor's plan of reorganization (assuming approval of the Debtor's amended disclosure statement) will be held on **Tuesday, May 20, 2014, at 9:00 a.m.**, or as soon thereafter as counsel can be heard, in the **BIGHORN COURTROOM, 5TH FLOOR, ROOM 5503, 2601 2ND AVENUE NORTH, BILLINGS, MONTANA;**

The Debtor is hereby directed to serve Notice of this Order and the associated dates, together with a copy of the amended disclosure statement together with its associated exhibits, to all parties required for service under Rule 3017(a).

BY THE COURT



HON. RALPH B. KIRSCHER
U.S. Bankruptcy Judge
United States Bankruptcy Court
District of Montana