

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BOB KEENAN, et al.,)	
)	
<i>Plaintiffs,</i>)	
v.)	
)	
NORMAN C. BAY, in his capacity as)	Civil Action No. 1:15-cv-01440
Chairman of the Federal Energy Regulatory)	
Commission, et al.,)	
)	
)	
<i>Defendants.</i>)	
_____)	

**MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION
AND REQUEST FOR ORAL HEARING**

Pursuant to Fed. R. Civ. P. 65 and LCvR 65.1, Plaintiffs Bob Keenan, Verdell Jackson and Pointer Enterprises, d/b/a Pointer Scenic Cruises, by their undersigned counsel, hereby move the Court to issue a temporary restraining order and preliminary injunction temporarily prohibiting the Federal Regulatory Commission (“FERC” or “Commission”) from authorizing, approving and facilitating the scheduled September 5, 2015 conveyance of the Kerr Hydroelectric Project, Project No. 5 (“Kerr Project”) to the Confederated Salish Kootenai Tribes of the Flathead Reservation (“CSKT” or “Tribes”), and the partial transfer of the current joint FERC license held by the CSKT and NorthWestern Energy Corporation (“NorthWestern”) to the CSKT’s recently formed federally chartered wholly-owned subsidiary corporation, Energy Keepers, Inc. (“EKI”) (collectively, “the conveyance”).

In support of this motion, Plaintiffs rely upon the attached memorandum of points and authorities. A proposed order is also attached.

Plaintiffs herby request oral argument pursuant to LCvR 78.1 and a ruling on the motion before Saturday, September 5, 2015, for the following reasons:

The transfer authorization is scheduled to take place on September 5, 2015. Counsel have been retained only recently to bring this action and requested on Tuesday, September 1, 2015, that Defendant FERC suspend the conveyance authorization until this Court rules on the TRO. Defendant FERC refused.

WHEREFORE, Plaintiffs request that the Motion for Temporary Restraining Order be granted.

Respectfully submitted,

Dated: September 3, 2015

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By: _____/s/_____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September ____, 2015, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will electronically notify all parties, as follows:

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