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COURT FILE NUMBER 24-2806908

COURT COURT OF QUEEN'S BENCH OF ALBERTA IN  
BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE *BANKRUPTCY AND  
INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS  
AMENDED

AND IN THE MATTER OF THE NOTICE OF  
INTENTION TO MAKE A PROPOSAL OF 915245  
ALBERTA LTD. o/a PRAIRIE TECH OILFIELD  
SERVICES

DOCUMENT **APPLICATION FOR SECOND EXTENSION  
ORDER**

ADDRESS FOR  
SERVICE AND  
CONTACT  
INFORMATION  
OF PARTY FILING  
THIS DOCUMENT **DLA Piper (Canada) LLP**  
2700, 10220-103 Ave NW  
Edmonton, AB T5J 0K4  
**Attention: Jerritt R. Pawlyk / Kevin Hoy**  
Phone: 780.426.5330  
Email: [jerritt.pawlyk@dlapiper.com](mailto:jerritt.pawlyk@dlapiper.com) /  
[kevin.hoy@dlapiper.com](mailto:kevin.hoy@dlapiper.com)  
File No.108761-00001

## NOTICE TO RESPONDENTS

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Master/Judge.

To do so, you must be in Court when the application is heard as shown below:

Date	<b>Wednesday, May 4, 2022</b>
Time	<b>10:00 AM</b>
Where	<b>Edmonton Courts via WebEx</b> <b>Virtual Courtroom 86</b> <a href="https://albertacourts.webex.com/meet/virtual.courtroom86">https://albertacourts.webex.com/meet/virtual.courtroom86</a>
Before Whom	<b>The Honourable Justice Hillier</b>

**Remedy claimed or sought:**

1. The Applicant, 915245 Alberta Ltd. O/A Prairie Tech Oilfield Services (the “**Company**”), seeks an Order pursuant to section 50.4(9) and of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, (the “**BIA**”), substantially in the form of the draft Order appended as Schedule “A” hereto:
  - a) abridging time for service of this Application and deeming service good and sufficient, if necessary;
  - b) extending the Applicant’s timeline required for filing a proposal to its creditors until 11:59 p.m. on June 18, 2022;
  - c) extending the general stay of proceedings against the Applicant until 11:59 p.m. on 11:59 p.m. on June 18, 2022; and
  - d) providing such further and other relief that this Honourable Court may deem necessary or appropriate.

**Grounds for making this application:**

2. On February 22, 2022, the Company filed a Notice of Intention to Make a Proposal (the “**NOI**”) pursuant to section 50.4 of the *BIA*. The stay of proceedings imposed under the *BIA*, as well as the timeline for the filing of the Company’s proposal to its creditors, were extended to May 5, 2022, pursuant to an Order of this Honourable Court dated March 21, 2022.
3. Section 50.4(9) of the *BIA* authorizes this Honourable Court to grant multiple Orders extending the timeline in which a debtor is required to file its proposal by 45 days, provided that such extensions do not in aggregate exceed 5 months after the expiry of the initial 30-day period (i.e., 6 months from the time of filing of the NOI).
4. *Per* section 50.4.(9)(a) - (c) of the *BIA*, such extensions may be granted provided that the applicant debtor satisfies 3 disjunctive conditions:
  - a. the debtor has acted, and is acting, in good faith and with due diligence;
  - b. the debtor will likely be able to make a viable proposal if the extension sought is granted; and

- c. no creditor will be materially prejudiced if the extension sought by the debtor is granted.
  
5. The Company satisfies the three conditions set out in *BIA* section 50.4.(9). First, the Company has acted diligently and in good faith with a view to making a proposal to its various creditors since the filing of its NOI and since the issuance of the First Extension Order. In that time, the Company has, without limitation:
  - a. continued to carry on its oilfield services business in the ordinary course;
  - b. made payment of its post-filing obligations as they come due;
  - c. brought forward an Application seeking the replevin of certain of its equipment for the purpose of enhancing the viability of its restructuring;
  - d. made arrangements for the surrender and liquidation of certain of its surplus equipment; and
  - e. worked in consultation with its restructuring counsel and Deloitte Restructuring Inc. (the “**Proposal Trustee**”), towards the preparation of a Proposal.
  
6. Second, the Company intends to proceed to engage in structured discussions with its key stakeholders with a view to coming to consensus on the key terms of a viable Proposal, which it intends to file in June or July of 2022. The Company anticipates that any Proposal it files will involve the constitution of a proposal fund for the benefit of its unsecured creditors to be capitalized with future sales revenues of the Company.
  
7. Third, it remains the Company’s intention to continue to restructure its affairs in these proceedings without obtaining interim financing. As the Company anticipates that its cash-flow will be net positive within the 45-day extension period, no creditor will be prejudiced by the granting of the Second Extension Order.
  
8. Additionally, the Company will automatically be deemed to have made an assignment into bankruptcy pursuant to section 50.4(9) of the *BIA* should this Honourable Court decline to grant the Second Extension Order. The Company anticipates that its unsecured creditors may receive no distributions or negligible distributions from the proceeds of its assets realizable in bankruptcy.

9. Given that the Company satisfies the 3 criteria set out in section 50.4(9) of the *BIA*, it is respectfully submitted that this Honourable Court should grant the Second Extension Order sought by the Company.

**Material or evidence to be relied on:**

10. First Affidavit of Dwayne Vogel, dated March 15, 2022; Second Affidavit of Dwayne Vogel, dated March 30, 2022; Third Affidavit of Dwayne Vogel, dated April 25, 2022;
11. First Report of the Proposal Trustee, dated March 15, 2022; Second Report of the Proposal Trustee, dated April 25, 2022;
12. Bench Brief, Dated April 25, 2022; and
13. Such further and other material as counsel may advise.

**Applicable rules:**

14. Rules 6.3(1), 6.9(1), the *Alberta Rules of Court*, Alta Reg. 124/2010.

**Applicable Acts and regulations:**

15. *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3.

**Any irregularity complained of or objection relied on:**

16. Not applicable to this Application.

**How the application is proposed to be heard or considered:**

17. Via WebEx, in Virtual Courtroom 86, before the Honourable Justice Hillier.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

**SCHEDULE "A"**

**[Draft Second Extension Order]**

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JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE *BANKRUPTCY AND  
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INTENTION TO MAKE A PROPOSAL OF 915245  
ALBERTA LTD. o/a PRAIRIE TECH OILFIELD  
SERVICES

DOCUMENT **ORDER (SECOND EXTENSION)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **DLA Piper (Canada) LLP**  
2700, 10220-103 Ave NW  
Edmonton, AB T5J 0K4  
**Attention: Jerritt R. Pawlyk / Kevin Hoy**  
Phone: 780.426.5330  
Email: [jerritt.pawlyk@dlapiper.com](mailto:jerritt.pawlyk@dlapiper.com) /  
[kevin.hoy@dlapiper.com](mailto:kevin.hoy@dlapiper.com)  
File No.108761-00001

<b>DATE ON WHICH ORDER WAS PRONOUNCED:</b>	<b>May 4, 2022</b>
<b>LOCATION WHERE ORDER WAS PRONOUNCED:</b>	<b>Edmonton, Alberta</b>
<b>NAME JUSTICE WHO MADE THIS ORDER:</b>	<b>Justice Hillier</b>

**UPON THE APPLICATION** of the Applicant, 915245 Alberta Ltd. o/a Prairie Tech Oilfield Services (the “**Debtor**”); **AND UPON** considering the filed Application of the Creditor and the Affidavits of Dwayne Vogel, sworn March 15, 2022 and April 25, 2022; **AND UPON** hearing representations from counsel for the Debtor; **AND UPON** hearing from Deloitte Restructuring Inc. (the “**Proposal Trustee**”) and considering the Second Report of the Proposal Trustee, dated April 25, 2022;

\_\_\_ no one appearing for the respondent(s)

\_\_\_ hearing from the respondent(s)

\_\_\_ hearing from counsel for the respondent(s)

**IT IS HEREBY ORDERED AND DECLARED THAT:**

**SERVICE**

1. Service of the Application and supporting materials upon all parties listed on the Service List established in these proceedings by electronic service or facsimile shall be and is hereby deemed to be good, timely and sufficient.

**EXTENSION OF TIME TO FILE PROPOSAL**

2. Pursuant to section 50.4(9) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (“BIA”), the period within which the Debtor may file a proposal shall be and is hereby extended to 11:59 p.m. on 11:59 p.m. (Mountain Time) on Saturday, June 18, 2022.
3. The general stay of proceedings against the Debtor imposed by section 69 of the BIA is extended to 11:59 p.m. on 11:59 p.m. (Mountain Time) on Saturday, June 18, 2022.

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J.C.Q.B.A