

**Kansas Corporation Commission**  
**Commission Meeting**  
**December 10, 2013**  
11:00 a.m. 3<sup>rd</sup> floor hearing room  
KCC Offices, 1500 Arrowhead, Topeka, Kansas

**MINUTES**

1. The Commission convened the regular scheduled open meeting of the Commission at 11:00 a.m. on December 10, 2013 in the 3rd floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.
2. Present: Chairman Mark Sievers, Commissioner Thomas Wright, and Commissioner Shari Albrecht
3. The following were approved by the Commission:
  - a. Commissioner Wright moved, and Commissioner Albrecht seconded, the approval of the Consent Agenda: All listed matters for December 10, 2013 on the four page document attached hereto as "Attachment A," which is included by reference herein. Chair Sievers concurred
  - b. Noticed Items: See Attachment "B", included by reference.
    - i. **Docket 12-CONS-134-CPEN:** *In the matter of the failure of Vivek and Namita Sahgal to comply with K.A.R. 82-3-103 and 82-3-600 at their Sahgal #1 well located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 34, Township 13 South, Range 25 East, Johnson County, Kansas.*

Commissioner Wright moved, and Commissioner Albrecht seconded, to pull this order and suggested different remedies and bring back to the Open Meeting scheduled for December 12, 2013. Chair Sievers concurred
    - ii. **Docket 13-CONS-170-CHOR:** *In the Matter of the Application of Mid-Con Energy Operating, Inc., for Horizontal Drilling of its Dinkel 1-36H Well to be Located in Section 36, Township 13 South, Range 21 West, Trego County, Kansas.*

Commissioner Wright moved, and Commissioner Albrecht seconded, to approve order #13-3922 - Order Granting Application, with Commissioner Albrecht's additions. Chair Sievers concurred
    - iii. **Docket 13-CONS-402-CWLE:** *In the matter of the application of Primal Energy O&G, LLC, for a location exception for the Skiles #28-1 well in Section 28, Township 18 South, Range 9 West in Rice County, Kansas.*

Commissioner Wright moved, and Commissioner Albrecht seconded, to approve order #13-3918 - Order Granting Application,. Chair Sievers concurred

- iv. **Docket 14-KCPE-042-TAR:** *In the Matter of the Application of Kansas City Power & Light Company for Approval to Extend Its Demand-Side Management Programs..*

Commissioner Wright moved, and Commissioner Albrecht seconded, to approve order #13-3962 - Order Granting Joint Motion to Lift Stay, Setting Procedural Schedule, Granting Intervention, and Protective/Discovery Order, Chair Sievers concurred

A. Petition to Intervene of CURB

B. Motion to Intervene of Climate Energy Project

4. Other matters:

- a. The Commissioners were informed Docket 14-CONS-349-CMSC to convert to a Show Cause Order is still being drafted and will be presented at an upcoming Open meeting.

**There being no further matters before the Commission, the Commission adjourned at 11:25 a.m.**

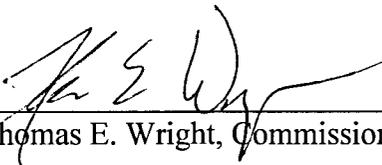
Respectfully submitted,



On Behalf of Kim Christiansen/JLMP  
Secretary of the Commission



Mark Sievers, Chair



Thomas E. Wright, Commissioner



Shari Feist Albrecht, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, December 10, 2013

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Commission Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Commission Meeting agenda for discussion.

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Lightyear Network Solutions, LLC <b>Order Cancelling CLEC &amp; IXC COCs</b>	14-LTRT-244-CCS	
2	In the Matter of Tri-County Telephone Filing Tariff Revisions to Reflect Concurrence in Appendix A of the Blue Valley Tele-communications Intrastate Access Tariff. <b>Order Approving Tariff Revisions</b>	14-TRCT-242-TAR	
3	In the Matter of Peoples Telecommunications Filing Tariff Revisions to Reflect Concurrence in Appendix A of the Blue Valley Tele-communications Intrastate Access Tariff. <b>Order Approving Tariff Revisions</b>	14-PLTT-241-TAR	
4	In the Matter of Madison Telephone Filing Tariff Revisions to Reflect Concurrence in Appendix A of the Blue Valley Tele-communications Intrastate Access Tariff. <b>Order Approving Tariff Revisions</b>	14-MDTT-240-TAR	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Craw-Kan Telephone Cooperative Filing Tariff Revisions to Reflect Concurrence in Appendix A of the Blue Valley Tele-communications Intrastate Access Tariff. <b>Order Approving Tariff Revisions</b>	14-CRKT-239-TAR	
6	In the Matter of Golden Belt Telephone Association Filing Tariff Revisions to Reflect Concurrence in Appendix A of the Blue Valley Tele-communications Intrastate Access Tariff. <b>Order Approving Tariff Revisions</b>	14-GNBT-257-TAR	
7	In the Matter of Sunflower Telephone Company d/b/a FairPoint Communications Filing Tariff Revisions Removing Duplicate Language in the Tariff <b>Order Approving Tariff Revisions</b>	14-SFLT-254-TAR	
8	In the Matter of the Application of Atmos Energy to Amend its Purchase Gas Adjustment (PGA) Schedule to Add a Demand Charge Savings and Pipeline Bypass Savings Component to the PGA. <b>Order Designating Prehearing Officer; Protective Order; Discovery Order; Procedural Order</b>	14-ATMG-230-TAR	
9	In the Matter of Sunflower Electric Power Corporation's Formula-Based Rate Annual Updates and True-Ups for Recovery of Transmission Costs as Required by Commission Order in Docket No. 13-SEPE-701-TAR. <b>Protective Order; Discovery Order; Procedural Order</b>	14-SEPE-220-TFR	
10	In the Matter of the Emergency Suspension of Operating Authority of Dan Construction, LLC of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	14-TRAM-266-OOS	
11	In the Matter of the Emergency Suspension of Operating Authority of Dustin L. Fisher, d/b/a Fisher Harvesting of Pratt, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	14-TRAM-265-OOS	
12	In the Matter of the Investigation of Finished Works, LLC of Gladstone, Missouri, Regarding the Violation of the Kansas Underground Utility Damage Prevention Act, and the Commission's Authority to Impose Penalties and Injunctive Relief. <b>Penalty Order</b>	14-DPAX-264-PEN	
13	In the matter of the failure of Apollo Energies, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Lemon #4-7 in Pratt County, Kansas. <b>Penalty Order - Apollo Energies, Inc.</b>	14-CONS-360-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the matter of the failure of Sandlin Oil Corporation ("Operator") to comply with K.A.R. 82-3-602 at the Richmeier #A 2 well in Graham County, Kansas. <b>Penalty Order - Sandlin Oil Corporation</b>	14-CONS-359-CPEN	
15	In the matter of the failure of Derek Leon Rhodes ("Operator") to comply with K.A.R. 82-3-602 at the Thompson #HP-4 and Thompson #HP-15 wells in Bourbon County, Kansas. <b>Penalty Order - Derek Leon Rhodes</b>	14-CONS-358-CPEN	
16	In the matter of the failure of Red Cloud Exploration Operating LLC ("Operator") to comply with K.A.R. 82-3-602 at the Purcell #2-09, Purcell #2-10 and Purcell #5-10 wells in Woodson County, Kansas. <b>Penalty Order - Red Cloud Exploration Operating LLC</b>	14-CONS-357-CPEN	
17	In the matter of the failure of Raydon Exploration, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the JW #1-22 well in Gray County, Kansas. <b>Penalty Order - Raydon Exploration, Inc.</b>	14-CONS-356-CPEN	
18	In the matter of the failure of Victor J. Leis ("Operator") to comply with K.A.R. 82-3-602 at the Goebel #5 well in Woodson County, Kansas. <b>Penalty Order - Victor J. Leis</b>	14-CONS-355-CPEN	
19	In the matter of the failure of Jason Oil Company, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Wirth #5 well in Barton County and the Dreiling #4 well in Ellis County, Kansas. <b>Penalty Order - Jason Oil Company, LLC</b>	14-CONS-354-CPEN	
20	In the matter of the failure of Hart Energies, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Stranathan #1 well in Barber County, Kansas. <b>Penalty Order - Hart Energies, LLC</b>	14-CONS-353-CPEN	
21	In the matter of the failure of Double 7 Oil and Gas LLC ("Operator") to comply with K.A.R. 82-3-602 at the Manners-Hickory #2 well in Labette County, Kansas. <b>Penalty Order - Double 7 Oil and Gas LLC</b>	14-CONS-352-CPEN	
22	In the matter of the failure of Daystar Petroleum, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Bankette OWWO #1 well in Kearny County, Kansas. <b>Penalty Order - Daystar Petroleum, Inc.</b>	14-CONS-351-CPEN	
23	In the matter of the failure of BG-5, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the JE Burkdoll #JE17 and Flora #FR 1 wells in Franklin County, Kansas. <b>Penalty Order - BG-5, Inc.</b>	14-CONS-350-CPEN	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

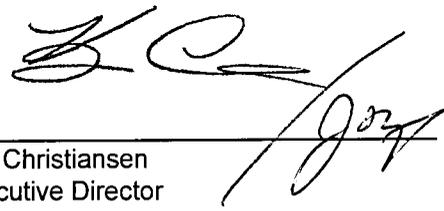
For the Commission :

  
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Mark Sievers, Chairman

  
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Thomas E. Wright, Commissioner

  
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Shari Feist Albrecht, Commissioner

Attest:

  
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Kim Christiansen  
Executive Director



MINUTES OF  
Commission Meeting

Tuesday, 10 December, 2013, 11:00 am

Item Needing Notice

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the matter of the failure of Vivek and Namita Sahgal to comply with K.A.R. 82-3-103 and 82-3-600 at their Sahgal #1 well located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 34, Township 13 South, Range 25 East, Johnson County, Kansas. <i>Plugging Order</i>	12-CONS-134-CPEN	<i>Pulled</i>
2	In the Matter of the Application of Mid-Con Energy Operating, Inc., for Horizontal Drilling of its Dinkel 1-36H Well to be Located in Section 36, Township 13 South, Range 21 West, Trego County, Kansas. <i>Order Granting Application</i>	13-CONS-170-CHOR	
3	In the matter of the application of Primal Energy O&G, LLC, for a location exception for the Skiles #28-1 well in Section 28, Township 18 South, Range 9 West in Rice County, Kansas. <i>Order Granting Application</i>	13-CONS-402-CWLE	
4	In the Matter of the Application of Kansas City Power & Light Company for Approval to Extend Its Demand-Side Management Programs. <i>Order Granting Joint Motion to Lift Stay, Setting Procedural Schedule, Granting Intervention, and Protective/Discovery Order</i>	14-KCPE-042-TAR	

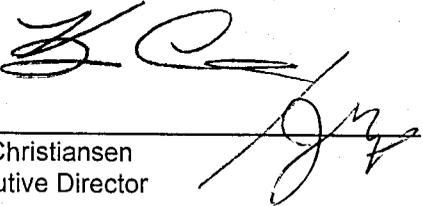
The above-captioned matter(s) came before the State Corporation Commission of the State of Kansas (Commission) for consideration. Having reviewed its files and records and being duly advised in the premises, it is the decision of this Commission by a majority vote during a Commission Meeting that the attached Order(s) be entered, subject to further order or orders with of the Commission.

For the Commission :

  
\_\_\_\_\_  
Mark Sievers, Chairman

  
\_\_\_\_\_  
Thomas E. Wright, Commissioner

  
\_\_\_\_\_  
Shari Feist Albrecht, Commissioner



Attest:

\_\_\_\_\_  
Kim Christiansen  
Executive Director