

**Kansas Corporation Commission**  
**Commission Meeting**  
**February 20, 2014**  
10:00 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 10:00 a.m. on February 20, 2014 in the 3rd floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.
2. Present: Chair Albrecht and Commissioner Wright. Commissioner Emler was absent.
3. The following were considered by the Commission:
  - a. **Consent Agenda:** Commissioner Wright moved for approval of the Consent Agenda: All listed matters for February 20, 2014 on the 4 page document attached hereto as "Attachment A," which is included by reference herein. Chair Albrecht seconded the motion.
  - b. **Noticed:**
    - i. **Docket No. 14-CONS-177-CUIC: In the Matter of the Application of Lario Oil & Gas Co., to authorize the injection of salt water into the Cedar Hills Formation at the Greg Anderson Lease, Well No. 1-34 RE/SWD, located in the SW/4 SE/4 NW/4 of Section 34, Township 12 South, Range 31 West, Gove County, Kansas.**

Commissioner Wright moved for approval of order #14-0563 *Order Granting Application*. Chair Albrecht seconded the motion.
    - ii. **Docket No. 14-CONS-297-CPEN: In the matter of the failure of Mark Heath to comply with K.A.R. 82-3-103 at the Brack #2 well in Wichita County, Kansas.**

Commissioner Wright moved for approval of order #14-0565 *Order on Appeal*. Chair Albrecht seconded the motion.
    - iii. **Docket No. 13-GIMT-597-GIT: In the Matter of a General Investigation to Review the Kansas Lifeline Service Program (KLSP) to Determine the Impact of the Increase in the Statewide Affordable Residential Rate for Rural Local Exchange Carriers to Their Lifeline Subscribers and Whether the \$7.77 Monthly Credit Should Be Modified.**

Commissioner Wright moved for approval of order #14-0537 *Order Maintaining Current Kansas Lifeline Service Program Discount and Policy*. Chair Albrecht seconded the motion.

- iv. **Docket No. 14-WHLW-218-RTS: In the Matter of the Application of Wheatland Electric Cooperative, Inc. for Approval to Make Certain Changes in Its Charges for Water Service to Tyson Fresh Meats, Inc. (\*Dockets 14-WHLW-217-CON, 14-WHLW-176-CON, and 14-WHLW-157-CON Consolidated Into 14-WHLW-218-RTS\*)**

Commissioner Wright moved for approval of order #14-0566 *Order Setting Procedural Schedule and Granting Motion for Interim Approval of Special Contract Prices* and made a motion for staff to review the backdate issue. Chair Albrecht seconded the motion.

c. **Other matters:**

- a. Commissioner Albrecht moved to move the Commission into Executive Session, as provided by K.S.A. 75-4319 (b) (2) "...consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship ..." with Kansas Corporation Commission Counsels Fox, Feather and staff John Bell, for the purposes of receiving legal advice on matters or issues pending before the Commission, for a period of 20 minutes. Commissioner Wright seconded. Chair Albrecht concurred.
- i The Commission moved into Executive Session at 10:12 a.m.
  - ii The Commission re-convened in public session at 10:32 a.m.
- b. Commissioner Albrecht moved to move the Commission into Executive Session, as provided by K.S.A. 75-4319 (b)(2) "...consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship ..." with Kansas Corporation Commission Counsels Fox, Feather and staff John Bell, for the purposes of receiving legal advice on matters or issues pending before the Commission, for a period of 10 minutes. Commissioner Wright seconded. Chair Albrecht concurred.
- i The Commission moved into Executive Session at 10:33 a.m.
  - ii The Commission re-convened in public session at 10:43 a.m.
- c. Then Commissioner Wright moved that Commission direct staff to continue with settlement discussions in the case currently pending before the Federal Energy Regulatory Commission and is authorized to enter into a settlement, also, FERC requires that all settlements are confidential. Commissioner Albrecht seconded the motion.

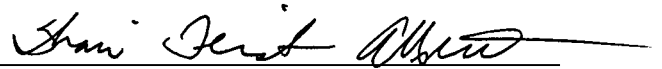
**There being no further matters before the Commission, the Commission adjourned at 10:46 a.m.**

Respectfully submitted,



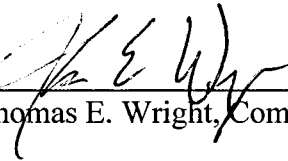
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Kim Christiansen  
Secretary of the Commission



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Shari Feist Albrecht, Chair



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Thomas E. Wright, Commissioner



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Jay Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, February 20, 2014

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 failure of Bear Petroleum, LLC ("Operator") to comply with K.A.R. 82-3-126 at the Taylor "B" lease in Stevens County, Kansas. <i>Order Designating Prehearing Officer &amp; Setting Prehearing Conference</i>	14-CONS-506-CPEN	
2	In the matter of the failure of American Patriot Oil LLC ("Operator") to comply with K.A.R. 82-3-602 at the Waller #2 well in Rooks County, Kansas. <i>Penalty Order - American Patriot Oil LLC</i>	14-CONS-567-CPEN	
3	In the matter of the failure of Carrie Exploration & Development, a General Partnership ("Operator") to comply with K.A.R. 82-3-602 at the Burmeister #C-1 well in Barton County, Kansas. <i>Penalty Order - Carrie Exploration &amp; Development, a General Partnership</i>	14-CONS-568-CPEN	
4	In the matter of the failure of Jim Carter dba J Carter Oil ("Operator") to comply with K.A.R. 82-3-602 at the Keil #11 well in Russell County, Kansas. <i>Penalty Order - Jim Carter dba J Carter Oil</i>	14-CONS-569-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of Jack Horton ("Operator") to comply with K.A.R. 82-3-602 at the Melander #5 well in Montgomery County, Kansas. <b>Penalty Order - Jack Horton</b>	14-CONS-570-CPEN	
6	In the matter of the failure of Jason Oil Company, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Schoenberger #3 well in Russell County, Kansas. <b>Penalty Order - Jason Oil Company, LLC</b>	14-CONS-571-CPEN	
7	In the matter of the failure of Chris Melander dba Chris Melander Drilling ("Operator") to comply with K.A.R. 82-3-602 at the Hodg #4 well in Montgomery County, Kansas. <b>Penalty Order - Chris Melander dba Chris Melander Drilling</b>	14-CONS-572-CPEN	
8	In the matter of the failure of Midwest Oil, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Johnson #1 and Johnson #2 wells in Douglas County, Kansas. <b>Penalty Order - Midwest Oil, LLC</b>	14-CONS-573-CPEN	
9	In the matter of the failure of Red Oak Energy, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Gilley #1-14 and Seib #1-27 wells in Ness County, Kansas. <b>Penalty Order - Red Oak Energy, Inc.</b>	14-CONS-574-CPEN	
10	In the matter of the failure of Lester Scheuneman ("Operator") to comply with K.A.R. 82-3-602 at the Flewhardy #11 well in Allen County, Kansas. <b>Penalty Order - Lester Scheuneman</b>	14-CONS-575-CPEN	
11	In the matter of the failure of Viking Production LLC ("Operator") to comply with K.A.R. 82-3-602 at the Vikki Metzinger #25-1 well in Cowley County, Kansas. <b>Penalty Order - Viking Production LLC</b>	14-CONS-576-CPEN	
12	In the matter of the failure of Viva International, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Glades #V-10, Glades #V-11, Glades #V-12, Glades #V-13, Glades #V-14, Glades #V-15, Glades #V-16, Glades #V-17, Glades #V-18 and Glades #V-19 wells in Woodson County, Kansas. <b>Penalty Order - Viva International, Inc.</b>	14-CONS-577-CPEN	
13	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 <b>Order Approving Interconnection Agreement</b>	14-SWBT-361-IAT	
14	In the Matter of Blue-Valley Tele-Communications Filing Revisions to Bundled Service Packages Rates and Insufficient Fund Ch Language and Rate. <b>Order Approving Tariff Revisions</b>	14-BLVT-358-TAR	

**Consent Agenda**

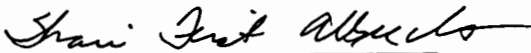
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Investigation of Chimney & Stone Specialists, Inc. of McPherson, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Order Approving Stipulated Settlement Agreement</b>	14-TRAM-195-PEN	
16	In the Matter of the Investigation of Dirtwork Specialists LLC of Galena, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	14-TRAM-356-PEN	
17	In the matter of the failure of B-C Steel, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Butts #17-1 well in Cowley County Kansas. <b>Penalty Order - B-C Steel, LLC</b>	14-CONS-578-CPEN	
18	In the matter of the failure of Bruce Oil Company, L.L.C. ("Operator") to comply with K.A.R. 82-3-608 at the Bowen #1 and Schultz #1 wells in Osborne County, Kansas. <b>Penalty Order - Bruce Oil Company, LLC</b>	14-CONS-579-CPEN	
19	In the matter of the failure of Endeavor Energy Resources, LP ("Operator") to comply with K.A.R. 82-3-608 at the Boles #25-1, Flying T Cattle #13-4, Flying T Cattle #13-6, Harshaw Trust #26-4 and Jeff Stewart #35-3 wells in Labette County, Kansas. <b>Penalty Order - Endeavor Energy Resources, LP</b>	14-CONS-580-CPEN	
20	In the matter of the failure of J-V Oil, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Beale #36-H well in Neosho County, Kansas. <b>Penalty Order - J-V Oil, LLC</b>	14-CONS-581-CPEN	
21	In the matter of the failure of Red Cloud Exploration Operating LLC ("Operator") to comply with K.A.R. 82-3-608 at the Purcell #2-1 Purcell #2-10 and Purcell #5-10 wells in Woodson County, Kansas. <b>Penalty Order - Red Cloud Exploration Operating LLC</b>	14-CONS-582-CPEN	
22	In the matter of the failure of RL Investment, LLC ("Operator") to comply with K.A.R. 82-3-608 at the T & Z #1 well in Gove County Kansas. <b>Penalty Order - RL Investment, LLC</b>	14-CONS-583-CPEN	
23	In the matter of the failure of Seneca Resources Corporation ("Operator") to comply with K.A.R. 82-3-608 at the Sabco Barker #1- and Sabco Moore #1-22 wells in Pratt County, Kansas. <b>Penalty Order - Seneca Resources Corporation</b>	14-CONS-584-CPEN	
24	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, to Amend Its List of Available Payment Options to Add a Non-Recurring EFT Payment from Customer's Checking Savings Account. <b>Order Approving EFT Payment Option</b>	14-BHCG-290-TAR	

**Consent Agenda**

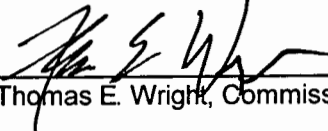
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 11-27S-38W (SE/4), Section 12-27S-38W (SW/4), Section 13-27S-38W (NW/4), Section 14-27S-38W (NE/4) in Grant County, Kansas. (ATU 275) <b>Order Granting Unitization</b>	14-CONS-262-CUNI	

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

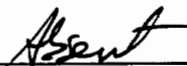
For the Commission :



Shari Feist Albrecht, Chair



Thomas E. Wright, Commissioner



Jay Scott Emler, Commissioner

Attest:



Kim Christiansen  
Executive Director