

Kansas Corporation Commission
Commission Meeting
April 10, 2014
10:00 a.m. 3rd 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 April 10, 2014 in the 3rd floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.
2. Present: Chair Albrecht, Commissioner Wright, and Commissioner Emler.
3. The following were considered by the Commission:
 - a. **Consent Agenda:** Commissioner Wright moved for approval of the Consent Agenda: All listed matters for April 10, 2014 on the 4 pages document attached hereto as "Attachment A," which is included by reference herein. Commissioner Emler seconded the Motion. Commissioner Albrecht concurred.
 - b. **Noticed:**
 - i. **Docket No. 14-ALLB-422-ASM: *In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501 to 66-1510***

Commissioner Wright moved for approval of order #14-1274 *Order Assessing CURB costs Pursuant to K.S.A. 66-1503*. Commissioner Emler seconded the motion. Commissioner Albrecht concurred.
 - ii. **Docket No. 14-ALLX-421-ASM: *In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501 to 66-1510***

Commissioner Wright moved for approval of order #14-1273 *Order Assessing Commission Costs Pursuant to K.S.A. 66-1503*. Commissioner Emler seconded the motion. Commissioner Albrecht concurred.
 - iii. **Docket No. 11-CONS-259-CHOR: *In the Matter of the Application of D & Z Exploration, Inc. for an Order Permitting the Drilling of a Well to be Drilled Horizontally in the Bartlesville Sand Formation, pursuant to K.A.R. 82-3-103a, upon certain lands in Johnson County, Kansas. (Sugar Ridge Farms #L-1)***
 - a. Commissioner Wright moved for an order in the above captioned case that grants reconsideration and authorizes the Commission to hold additional evidentiary proceedings on correlative rights and waste in the above captioned case. Commissioner Emler seconded the motion. Commissioner Albrecht concurred.

- b. Commissioner Albrecht moved for an order in the above captioned case for an order setting the matter for rehearing, identifying Brian Fedotin as co-advisory attorney to John McCannon and setting the matter for prehearing conference and other procedural matters as advisory counsel deems appropriate. Commissioner Wright seconded the motion. Commissioner Emler concurred.

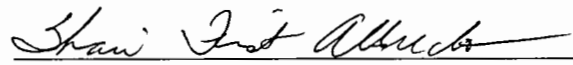
4. **Other matters:**

- a. Commissioner Albrecht moved to move the Commission into Executive Session, as provided by K.S.A. 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice in issues and/or cases pending before the Commission with Kansas Corporation Commission Counsel French, and KCC staff Bell, for a period of 20 minutes. Commissioner Emler seconded. Commissioner Wright concurred.
- i. The Commission moved into Executive Session at 10:10 a.m.
- ii. The Commission re-convened in public session at 10:30 a.m.
- b. The Commissioner Albrecht moved and Commissioner Emler seconded, that the KCC staff intervene and file comments in FERC Docket No. RP14-64. Commissioner Wright concurred.


There being no further matters before the Commission, the Commission adjourned at 10:31 a.m.
Respectfully submitted,




Kim Christiansen
Secretary of the Commission



Shari Feist Albrecht, Chair



Thomas E. Wright, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, April 10, 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 Application of Mid-Kansas Electric Company, LLC to Adopt and Implement Changes to Its Formula-Based Rate for the Inclusion and Recovery of Additional Assets and Removal of Facilities Financed Under Its Extraordinary Transmission Facility Extension Service Terms from the Rate Base. <i>Order Canceling Evidentiary Hearing</i>	14-MKEE-170-TAR	
2	In the Matter of the Complaint Against Kansas City Power & Light Company by Jason and Michelle Huwe <i>Order Granting Extension of Time</i>	14-KCPE-283-COM	
3	In the Matter of the Investigation of Marvin's Tow Service, Inc. of Olathe, 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. <i>Penalty Order</i>	14-TRAM-420-PEN	

Consent Agenda

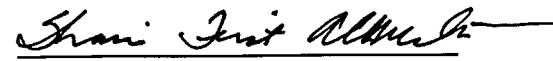
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Investigation of RWS Trucking LLC of Erie, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Penalty Order</i>	14-TRAM-423-PEN	
5	In the Matter of the Investigation of Quality Electric of Douglas County, Inc., of Lawrence, Kansas, Regarding the Violation of the Kansas Underground Utility Damage Prevention Act, and the Commission's Authority to Impose Penalties and Injunctive Relief. <i>Penalty Order</i>	14-DPAX-447-PEN	
6	In the Matter of the Investigation of Phillips Construction and Excavating, LLC of Oak Grove, Missouri, Regarding the Violation of the Kansas Underground Utility Damage Prevention Act, and the Commission's Authority to Impose Penalties and Injunctive Relief. <i>Penalty Order</i>	14-DPAX-448-PEN	
7	In the Matter of the Investigation of Jarrett Enright of Olathe, Kansas, Regarding the Violation of the Kansas Underground Utility Damage Prevention Act, and the Commission's Authority to Impose Penalties and Injunctive Relief. <i>Penalty Order</i>	14-DPAX-449-PEN	
8	In the Matter of the Investigation of Cohorst Enterprises Inc. of Edgerton, Kansas, Regarding the Violation of the Kansas Underground Utility Damage Prevention Act, and the Commission's Authority to Impose Penalties and Injunctive Relief. <i>Penalty Order</i>	14-DPAX-450-PEN	
9	In the Matter of the Application of JAG Petroleum, LLC, to authorize the injection of salt water into the Cherokee Formation at the Demaranville Lease, Well #9-3, located in Section 3, Township 9 South, Range 20 East, Leavenworth County, Kansas. <i>Order Closing Docket</i>	13-CONS-401-CUIC	
10	In the matter of the failure of D&R Oil, Inc. to comply with K.A.R. 82-3-603 at the Drum Lease tank battery in McPherson County, Kansas. <i>Order Granting Continuance</i>	14-CONS-197-CPEN	
11	In the matter of the application of OXY USA, Inc. to allow temporary flaring of sour casing-head gas by a fixed flare unit from wells located in the Northwest Quarter of Section 17, Township 22 South, Range 34 West, Finney County, Kansas, Pursuant to K.A.R. 82-3-209. <i>Order Granting Application</i>	14-CONS-413-CEXC	
12	In the matter of the failure of DK Operating Inc. ("Operator") to comply with K.S.A. 55-172. <i>Penalty Order</i>	14-CONS-803-CPEN	

Consent Agenda

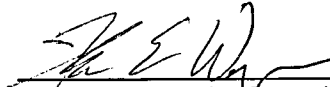
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the matter of the failure of SandRidge Exploration and Production LLC ("Operator") to comply with K.A.R. 82-3-602 at the Lundgren 1429 #1-21H well in Gove County, Kansas. <i>Penalty Order - SandRidge Exploration and Production LLC</i>	14-CONS-808-CPEN	
14	In the matter of the failure of ELM III Operating Company LLC ("Operator") to comply with K.A.R. 82-3-603 at the Mellies-Fisher #4 well in Stafford County, Kansas. <i>Penalty Order - ELM III Operating Company LLC</i>	14-CONS-809-CPEN	
15	In the matter of the failure of Dawson-Markwell Exploration Co. ("Operator") to comply with K.A.R. 82-3-603 at the Fischer #1 and Fischer #2 wells in Section 6, Township 22 South, Range 11 West, and the Fischer #2 and Fischer #3 wells in Section 31, Township 21 South, Range 11 West, Stafford County, Kansas. <i>Penalty Order - Dawson-Markwell Exploration Co.</i>	14-CONS-810-CPEN	
16	In the matter of the failure of Custer Oil and Gas LLC ("Operator") to comply with K.A.R. 82-3-111 at the Casement #11, Betts #07-1, and West Betts #07-9 wells in Montgomery County, Kansas. <i>Penalty Order - Custer Oil and Gas LLC</i>	14-CONS-811-CPEN	
17	In the Matter of the Application of R.T. Enterprises of Kansas, Inc. for Multiple Well Location Exceptions for Wells Upon the Pearson and Finnerty Leases Located in Section 11, Township 15 South, Range 20 East in Douglas County, Kansas. <i>Order Authorizing Use of Wells During Pendency of Application</i>	14-CONS-550-CWLE	
18	In the Matter of the Application of BCI Allegiance, LLC Filing for Kansas Video Service Authorization. <i>Order Amending Video Service Authorization</i>	13-BCAT-666-VSA	
19	In the Matter of TracFone Wireless, Inc. for Designation as an eligible Telecommunications Carrier in the State of Kansas for the Limited Purpose of Offering Lifeline Service to Qualified Households <i>Order Granting Application to Expand Designation as an Eligible Telecommunications Carrier</i>	14-TFWZ-325-ETC	
20	In the Matter of the Application of TRI- Communications, Inc. to change its Name to Globalinx Enterprises, Inc. <i>Order Approving Name Change</i>	14-TMCC-331-CCN	
21	In the Matter of ONEOK North System, L.L.C. Seeking Commission Approval of Tariff K.C.C. No. 4.3. <i>Final Order Approving Tariff Revision</i>	14-ONSP-344-TAR	

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

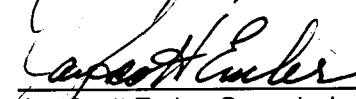
For the Commission :



Shari Feist Albrecht, Chair



Thomas E. Wright, Commissioner



Jay Scott Emler, Commissioner

Attest:



Kim Christiansen
Executive Director