

Kansas Corporation Commission
Commission Meeting
April 22, 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 22, 2014 in the 3rd floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.
2. Present: Chair Albrecht, Commissioner Emler, and Commissioner Apple.
3. The following were considered by the Commission:
 - a. **Consent Agenda:** Commissioner Emler moved for approval of the Consent Agenda: All listed matters for April 22, 2014 on the 4 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Apple seconded the Motion. Commissioner Albrecht concurred.
 - b. **Interventions:**
Docket No. 14-WSEE-428-ACA *In the Matter of the Joint Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of their Annual Energy Cost Correction Adjustment Factor*

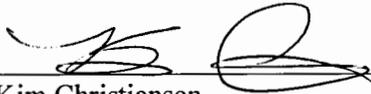
Commissioner Emler moved for approval of the *TR1401126 – Petition to Intervene and Motion for Protective Order (CURB)* Commissioner Apple seconded the motion. Commissioner Albrecht concurred.
 - c. **Noticed items:**
Docket No. 14-CONS-234-CPEN: *In the matter of the failure of B-C Steel, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Ankrom #1, Ankrom #5, Ankrom #6, Ankrom #7 and Ankrom #8 wells in Cowley County, Kansas*

Commissioner Apple moved for approval of order #14-1434 - *Order Denying Whiteman's Petition for Reconsideration.* Commissioner Emler seconded the motion. Commissioner Albrecht concurred.
4. Other matters
 - a. Chair Albrecht moved that the Commission enter into Executive Session, not to exceed 30 minutes, to discuss Personnel matters of non-elected personnel, pursuant to K.S.A 75-4319(b)(1), to protect the privacy of the individuals involved. Commissioner Emler seconded the motion. Commissioner Apple concurred.
 - b. The Commission recessed into Executive Session at 10:07 a.m. and returned to the Commission meeting at 10:37 a.m.

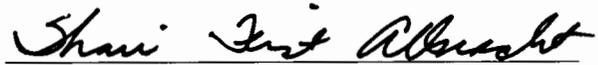
- c. Commissioner Apple moved that the Commission enter into Executive Session, not to exceed 22 minutes, to discuss Personnel matters of non-elected personnel, pursuant to K.S.A. 75-4319(b)(1), to protect the privacy of the individuals involved. Commissioner Emler seconded the motion. Commissioner Albrecht concurred.
- d. The Commission recessed into Executive Session at 10:38 a.m. and returned to the Commission meeting at 11:00 a.m.
- e. The Commission took no action in or following executive session.

There being no further matters before the Commission, the Commission adjourned at 11:01 a.m.

Respectfully submitted,



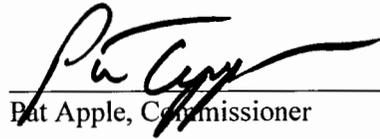
Kim Christiansen
Secretary of the Commission



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, April 22, 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 Southwestern Bell Telephone Company d/b/a AT&T Kansas for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With TCG Kansas City. <i>Order Amending Interconnection Agreement</i>	08-SWBT-218-IAT	
2	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Spectrotel, Inc. <i>Order Approving Modification to Interconnection Agreement</i>	12-SWBT-850-IAT	
3	In the Matter of the Audit of WestLink Communications, L.L.C. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2012 Supp. 66-2010(b) for KUSF Operating Year 16, Fiscal Year March 2012- February 2013. <i>Order Closing Docket</i>	14-WLCT-059-KSF	
4	In the Matter of an Investigation to Determine the Assessment Rate for the Eighteenth Year of the Kansas Universal Service Fund, Effective March 1, 2014. <i>Order Approving Traffic Factors for Verizon Wireless</i>	14-GIMT-105-GIT	

Consent Agenda

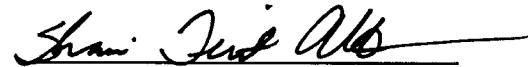
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Certification of Compliance with Section 254(e) of the Federal Telecommunications Act of 1996, and Certification of Appropriate use of Kansas Universal Service Fund Support. Order Opening Docket	14-GIMT-468-GIT	
6	In the Matter of the Application of Lyon-Coffey Electric Cooperative, Inc. for a Certificate and Authority to Transact the Business of a(n) Electric Utility Public Utility in the State of Kansas. Coffey County Amended Certificate	14-LYCE-364-COC	
7	In the Matter of the Application of the City of Toronto, Kansas for Permission to Cease Operating as an Electric Public Utility in the State of Kansas Amended Certificate	14-TORE-394-CCS	
8	In the Matter of the Application of Kansas City Power & Light Company for Approval of Its 2014 Energy Efficiency Rider for Program Costs Incurred January 1 Through December 31, 2013. Suspension Order, Protective Order and Discovery Order	14-KCPE-442-TAR	
9	In the Matter of the Application of Pioneer Natural Resources USA, 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 9-30S-37W (SE/4), Section 10-30S-37W (SW/4), Section 16-30S-37W (NE/4), Section 15-30S-37W (NW/4) in Grant County, Kansas. (Tuttle et al ATU) Order Designating Prehearing Officer and Setting Prehearing Conference	14-CONS-534-CUNI	
10	In the matter of the failure of B-C Steel, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Ankrom #1, Ankrom #5, Ankrom #6, Ankrom #7 and Ankrom #8 wells in Cowley County, Kansas. Protective and Discovery Order	14-CONS-234-CPEN	
11	In the matter of the failure of Ron Whiteman dba Gen-Dor Oil Co. to comply with K.A.R. 82-3-111 at the eight wells located in Township 30, Range 7 East, Cowley County, Kansas. Order on Appeal	12-CONS-282-CPEN	
12	In the matter of the failure of Viva International, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Gillian Simpson #8 in Sedgwick County, Kansas. Shut-In Order	14-CONS-546-CPEN	
13	In the matter of the failure of R. L. Barnard dba Barnard Oil Operations ("Operator") to comply with K.A.R. 82-3-407 at the Wilson #14 in Greenwood County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	14-CONS-627-CPEN	

Consent Agenda

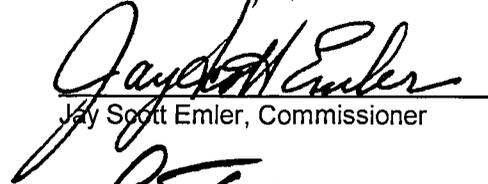
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the matter of the failure of Running Foxes Petroleum Inc. ("Operator") to comply with K.A.R. 82-3-608 at the Vogel #15-36B INJ2 well in Bourbon County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	14-CONS-683-CPEN	
15	In the matter of the failure of Russell Nightingale dba R J Operating Co. ("Operator") to comply with K.A.R. 82-3-111 at the Knight #2 in Rice County, Kansas. Penalty Order - Russell Nightingale dba R J Operating Co.	14-CONS-823-CPEN	
16	In the matter of the application of Merit Energy Company for a location exception for the Baker 4-15 well in Section 15, Township 23 South, Range 34 West in Finney County, Kansas, as an additional well on the existing unit in the Kansas Hugoton and Panoma Gas Fields. Order Granting Application	14-CONS-753-CWLE	
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. Order Designating Prehearing Officer and Setting Prehearing Conference	14-CONS-550-CWLE	
18	In the Matter of the Investigation of Kansas Gas Service, A Division of ONE Gas (KGS) of Topeka, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	14-DPAX-472-PEN	
19	In the Matter of the Investigation of Kansas Gas Service, A Division of ONE Gas, Inc. of Topeka, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	14-DPAX-473-PEN	
20	In the Matter of the Investigation of Atmos Energy of Olathe, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	14-DPAX-475-PEN	
21	In the Matter of the Investigation of CST Industries, Inc., d/b/a CST Storage of Lenexa, 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. Penalty Order	14-TRAM-435-PEN	

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

For the Commission :



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Kim Christiansen
Executive Director