

Kansas Corporation Commission

Commission Meeting

10:00 a.m.

June 26, 2014, Central Office Hearing Room
Commission's Conservation Division Central Office
130 S. Market, Room 2078 Wichita, Kansas

MINUTES

1. The Commission convened the regular scheduled open meeting at 10:00 a.m. on June 26, in the Hearing Room of the Commission's Conservation Division Central Office, 130 S. Market, Wichita, Kansas
2. Present: Chair Albrecht, Commissioner Emler, and Commissioner Apple.
3. The following were considered by the Commission:
 - a. **Consent Agenda:** Chair Albrecht requested, with no objections, the following dockets be removed from the Consent Agenda: Dockets 14-CONS-885-CSHO; 14-CONS-873-CSHO; and 12-CONS 278-CSHO. Chair Albrecht explained due to the nature of the dockets that they should have been Noticed items. Commissioner Emler moved for approval of all remaining dockets in the Consent Agenda: All other listed matters as presented for June 26, 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. **Noticed Item(s)**
 - i. **Docket No. 12-GIMX-884-GIV: *In the Matter of the General Investigation Into the Kansas Underground Utility Damage Prevention Act and the Kansas Notification Center.***

Commissioner Emler moved for approval of order #14-2288 - *Order Approving Bylaws and Closing Docket*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred.
 - ii. **Docket No. 14-SEPE-287-CON: *In the Matter of the Joint Application of Sunflower Electric Power Corporation and Wheatland Electric Cooperative, Inc. for Approval of Special Contract and Expedited Interim Order.***

Commissioner Emler moved for approval of order #14-2244 - *Order Modifying Procedural Schedule*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred.
 - iii. **Docket No. 14-COIC-341-SHO: *In the Matter of a General Investigation of Cable One, Inc. to Show Cause Why this Commission Should Not Initiate Sanctions and Fines and/or refer the Company to the Attorney General's Office for Non-Compliance with Commission Orders and Kansas Statutes.***

Commissioner Apple moved for approval of order #14-2243 - *Order Assessing Penalty Against Cable One*. Commissioner Emler seconded the motion. Commissioner Albrecht concurred.

- iv. **Docket No. 14-KCPE-442-TAR: *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.***

Commissioner Emler moved for approval of order #14-2290 - *Order Approving KCP&L's 2014 Energy Efficiency Rider*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred.

- v. **Docket No. 14-TRAM-568-MIS: *In the Matter of the State Corporation Commission of the State of Kansas Approving the 2014 Uniform Penalty Assessments for the Regulation of Motor Carriers and Person Operating in Kansas Who Fail to Obey Any Order, Decision or Regulation of the Commission.***

Commissioner Apple moved for approval of order #14-2291 - *Amended Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table*. Commissioner Emler seconded the motion. Commissioner Albrecht concurred.

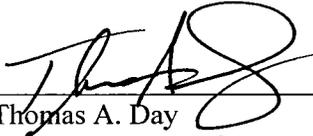
4. **Other matters:** Commissioner Albrecht motioned to move the Commission into Executive Session, as provided by K.S.A. 75-4319(b)(1), for personnel matters of non-elected personnel, pursuant to protect the privacy of the individuals involved, for a period of 15 minutes. Kansas Corporation Commission Litigation counsel Amber Smith. Commissioner Emler seconded. Commissioner Apple concurred.

- i. The Commission moved into Executive Session at 10:21 a.m.
- ii. The Commission re-convened in public session at 10:36 a.m.
- iii. The Commission took the following action following this Executive Session:

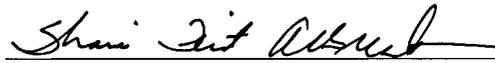
No action taken.

There being no further matters before the Commission, the Commission adjourned at 10:37 a.m.

Respectfully submitted,



Thomas A. Day
Acting Secretary of the Commission



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, June 26, 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 Southwestern Bell Telephone, L.P. for Approval of Cellular/PCS Interconnection Agreement Under the Telecommunications Act of 1996 with Nex-Tech Wireless, LLC. <i>Order Approving Amended Interconnection Agreement</i>	06-SWBT-051-IAT	
2	In the Matter of the Application of TC Wireless, Inc. for a Certificate of Public Convenience and Authority to Provide Local Exchange and Exchange Access Services Within the State of Kansas. <i>Order and Certificate</i>	14-TCWT-407-COC	
3	In the Matter of IntelePeer, Inc. to Change Its Name to Airus, Inc. <i>Order Approving Name Change</i>	14-ITPT-501-CCN	
4	In the Matter of the Application of Telecom North America Inc. for a Certificate of Convenience and Authority to Provider Interexchange Services Within the State of Kansas <i>Order and Certificate</i>	14-3UTC-522-COC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Mid-Kansas Electric Company, LLC for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas; TRANSMISSION RIGHTS ONLY, along the certified territory of Rolling Hills Electric Cooperative, Inc., Midwest Energy, Inc., and Western Cooperative Electric Association, Inc. Certificate	14-MKEE-516-COC	
6	In the Matter of the Application of The Empire District Electric Company for Approval of Revisions to its Net Metering Rider. Suspension Order	14-EPDE-558-TAR	
7	In the Matter of the Application of Southern Pioneer Electric Company for Permission to Cease Operating as an Electric Public Utility in the State of Kansas; the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 of Section 36, T29S, R33W, Haskell County, Kansas. Order	14-SPEE-561-CCS	
8	In the Matter of the Application of Pioneer Electric Cooperative, Inc. for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas; the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 of Section 36, T29S, R33W, Haskell County, Kansas. Certificate	14-PNRE-562-COC	
9	In the Matter of the Application BlackHills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas. Section 15, Township 31 south, Range 34 West and Section 4, Township 31 South Range 33 West Seward County, Kansas Certificate	14-BHCG-545-COC	
10	In the Matter of Mid-America Pipeline Company, LLC Company Filing for Approval of Tariff Revisions Implementing Increased Rates Based on the FERC Indexing Methodology, K.C.C. Tariff 19.1.0 Canceling K.C.C. Tariff 19.0.0. Order Approving Tariff Revisions	14-MDAP-548-TAR	
11	In the Matter of an Order to Show Cause on the Commission's own Motion issued to Cornwell, Ltd. to determine plugging responsibility under K.S.A. 55-179 for abandoned wells on the French, Giese, Longton, and Venaom leases in Elk and Chautauqua Counties, Kansas. Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference	12-CONS-278-CSHO	
12	In the matter of the application of OXY USA, Inc. to allow a permanent flare unit for the intermittent flaring of sour casing-head gas from wells located in the South half of Section 36, Township 25 South, Range 33 West, Finney County, Kansas, pursuant to K.A.R. 82-3-209. Order Granting Application	14-CONS-801-CFLA	

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Consent Agenda

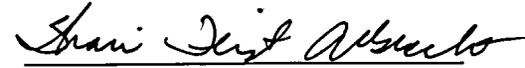
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the matter of the failure of Vess Oil Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Hall D #6 in Ellis County, Kansas. <i>Order Rescinding Penalty</i>	14-CONS-829-CPEN	
14	In the matter of an Order to Show Cause regarding the removal of Commission seals at the Turkey Lease in Rooks County, Kansas. <i>Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference</i>	14-CONS-873-CSHO	
15	In the matter of an Order to Show Cause issued to Glen A. Carter and Thomas Well Service, Inc. regarding responsibility under K.S.A. 55-179 for plugging the Tjaden #1 well in Section 16, Township 8 South, Range 21 East, Leavenworth County, Kansas. <i>Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference</i>	14-CONS-885-CSHO	

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

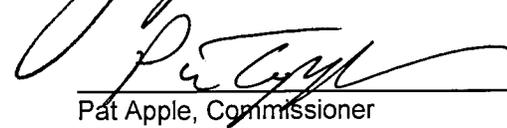
For the Commission :



Shari Feist Albrecht, Chair

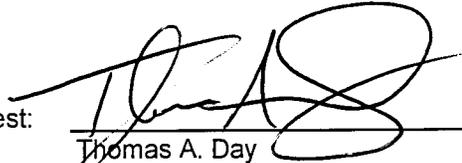


Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Thomas A. Day
Acting Executive Director