

Kansas Corporation Commission
Commission Meeting
August 28, 2014
10:00 a.m. 1st 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 August 28, 2014 in the 1st 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 other listed matters as presented for August 28, 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. Motion was approved.

b) **Noticed:**

i) **Docket No. 14-GIMM-330-KHP: *In the Matter of the Investigation of Midwest Crane and Rigging, LLC of Olathe, Kansas, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation for Violation(s) of the Kansas Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.***

Commissioner Apple moved for approval of order #14-3030 - *Order Upholding Assessment*. Commissioner Emler seconded the motion. Commissioner Albrecht concurred. Motion was approved.

ii) **Docket No. 15-GIMT-073-GIT: *In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Nineteenth Year of the Kansas Universal Service Fund, Effective March 1, 2015.***

Commissioner Emler moved for approval of order #14-3001 - *Order Opening Docket and Establishing Procedural Schedule*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

3. Discussion Item(s)

i) **Request for Attorney General Opinion**

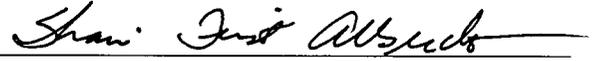
Commissioner Emler moved for approval of the request. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

There being no further matters before the Commission, the Commission adjourned at 10:07 a.m.

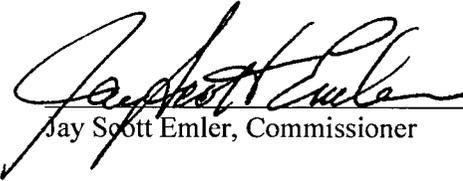
Respectfully submitted,



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, August 28, 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 for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Neutral Tandem-Kansas, LLC. <i>Order Approving Amended Interconnection Agreement</i>	08-SWBT-1136-IAT	
2	In the Matter of the Application Southwestern Bell Telephone Company for Approval of Cellular/PCS Interconnection Agreement Under the Telecommunications Act of 1996 with Commnet Midwest LLC <i>Order Approving Amended Interconnection Agreement</i>	09-SWBT-283-IAT	
3	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Trans National Communications International, Inc. <i>Order Approving Amended Interconnection Agreement</i>	09-SWBT-754-IAT	
4	In the Matter of Crown Castle NG Central Inc. and NextG Networks of Illinois, Inc. d/b/a NextG Network Central Changing Its Name to Crown Castle NG Central LLC <i>Order Approving Name Change to Crown Castle NG Central, LLC</i>	15-NXTC-033-CCN	

Consent Agenda

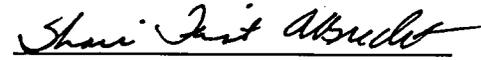
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Sunflower Telephone Company, Inc. d/b/a FairPoint Communications Filing Tariff Revisions Modifying the Concurrent Statement Concerning Access Services <i>Order Approving Tariff Revision</i>	15-SFLT-065-TAR	
6	In the matter of the failure of Klima Well Service, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Eveleigh #1, the Eveleigh #2, Tindall #1, the Peterman OWWO #4 and the Suchy #1 wells in Barton County, Kansas. <i>Order Adopting Compliance Schedule</i>	14-CONS-082-CPEN	
7	In the matter of the failure of Edward E. Birk ("Operator") to comply with K.A.R. 82-3-400 at the L E Stroud B #1-1, L E Stroud B #1-2, L E Stroud B #1-3, Pohlenz #2 and Pohlenz #7 wells in Coffey County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-055-CPEN	
8	In the matter of the failure of Bruce Oil Company, L.L.C. ("Operator") to comply with K.A.R. 82-3-400 at the Tague #7 well in Butler County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-056-CPEN	
9	In the matter of the failure of Kent A. Deutsch dba Deutsch Oil Company ("Operator") to comply with K.A.R. 82-3-400 at the Huffman SWD #1 well in Pratt County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-066-CPEN	
10	In the matter of the failure of Diehl Oil Inc ("Operator") to comply with K.A.R. 82-3-400 at the Peavey D #1 well in Ellis County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-068-CPEN	
11	In the matter of the failure of Edmiston Oil Company, Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Whisman F #8 well in Rooks County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-071-CPEN	
12	In the matter of the application of Cholla Production, LLC for an order permitting the drilling of a horizontal well in the Pawnee Formation, pursuant to K.A.R. 82-3-103a, upon certain lands located in Trego County, KS. <i>Order Granting Amended Application</i>	14-CONS-364-CHOR	
13	In the matter of the application of SandRidge Exploration and Production, LLC for a well location exception for the James 3406 #2-4H well in Section 4, Township 34 South, Range 6 West, Harper County, Kansas. <i>Order Granting Application</i>	14-CONS-933-CWLE	
14	In the matter of an agreed compliance schedule for Joe Brake to plug the wells on the Korte Lease in Butler County, Kansas <i>Order Adopting Compliance Schedule</i>	15-CONS-173-CMSC	

Consent Agenda

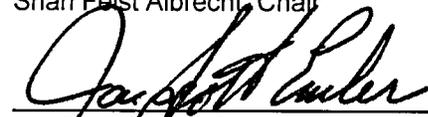
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of the application of Linn Operating, Inc. for an order providing for the unitization and unit operation of a part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit described as Section 28-25S-38W (SE/4), Section 27-25S-38W (SW/4), Section 34-25S-38W (NW/4), Section 33-25S-38W (NE/4) in Kearny County, Kansas (ATU 309) Order Granting Application	15-CONS-085-CUNI	
16	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 17-30S-39W (SE/4), Section 16-30S-39W (SW/4), Section 21-30S-39W (NW/4), Section 20-30S-39W (NE/4) in Stanton County, Kansas (ATU 364) Order Granting Application	15-CONS-086-CUNI	
17	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 3-29S-39W (SE/4), Section 2-29S-39W (SW/4), Section 11-29S-39W (NW/4), Section 10-29S-39W (NE/4) in Stanton County, Kansas (ATU 377) Order Granting Application	15-CONS-087-CUNI	
18	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 26-28S-39W (SE/4), Section 25-28S-39W (SW/4), Section 36-28S-39W (NW/4), Section 35-28S-39W (NE/4) in Stanton County, Kansas (ATU 381) Order Granting Application	15-CONS-088-CUNI	
19	In the Matter of Mid-America Pipeline Company, LLC Seeking Commission Approval for KCC Tariff No. 18.2.0 and Tariff No. 19.3.0 to Replace KCC Tariff No. 18.1.0 and Tariff No. 19.2.0 Order on Application	15-MDAP-038-TAR	
20	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*) Order Amending Procedural Schedule	14-WHLW-218-RTS	
21	In the Matter of the Application of Oil Sources Corp. for an Order granting a Well Location Exception for its Two Bros. lease wells to be located in the Southwest Quarter of Section 32, Township 15 South, Range 21 East, Franklin County, Kansas. Order Granting Application	15-CONS-107-CWLE	

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