

Kansas Corporation Commission
Commission Meeting
September 16, 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 September 16, 2014 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.**

2) Present: Chair Albrecht, and Commissioner Apple. Commissioner Emler was absent.

3) The following were considered by the Commission:

a) **Consent Agenda:** Commissioner Albrecht removed item number 35; 13-HHIW-460-GIV for changes to the order. Commissioner Apple moved for approval of the Consent Agenda: All other listed matters as presented for September 16, 2014 on the 6 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Albrecht seconded the Motion. Motion was approved.

b) **Noticed:**

A. Docket No. 15-CONS-166-CSHO: *In the matter of an Order to Show Cause issued to Don Erbert, dba Don Erbert Oil Company, regarding responsibility under K.S.A. 55-179 for plugging 4 wells on the Crosant John and Fuhrman Leases in Allen and Bourbon Counties, Kansas.*

Commissioner Apple moved for approval of order #14-3226 - *Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference.*
Commissioner Albrecht seconded the motion. Motion was approved.

B. Docket No. 14-SPEE-507-RTS: *In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Debt Service Coverage Formula Based Ratemaking Plan Approved in Docket No.13-MKEE-452-MIS.*

Commissioner Apple moved for approval of order #14-3234 - *Order on Petition for Reconsideration.* Commissioner Albrecht seconded the motion. Motion was approved.

C. Docket No. 15-GIMT-068-GIT: *In the Matter of a General Investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with K.S.A. 2013 Supp. 66-2005(c) and FCC Reforms.*

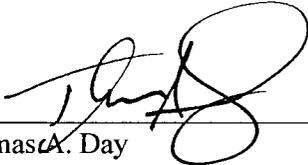
Commissioner Apple moved for approval of order #14-3230 - *Order on Joint Petition for Reconsideration.* Commissioner Albrecht seconded the motion. Motion was approved.

- D. **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.***

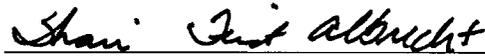
Commissioner Apple moved for approval of order #14-3231 - *Order on Joint Petition for Reconsideration*. Commissioner Albrecht seconded the motion. Motion was approved.

There being no further matters before the Commission, the Commission adjourned at 10:06 a.m.

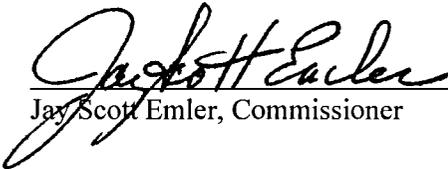
Respectfully submitted,



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: Tuesday, September 16, 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, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Comcast Phone of Kansas, LLC. <i>Order Approving Amended Interconnection Agreement</i>	06-SWBT-449-IAT	
2	In the Matter of the Application of Combined Public Communications, Inc. for a Certificate of Convenience and Authority to Provide Toll and Operator Services Within the State of Kansas <i>Order and Certificate</i>	14-CPBC-496-COC	
3	In the Matter of the Application by Carson Communications, L.L.C. Requesting the Name on its Certificate of Public Convenience and Necessity be Changed to Rainbow Communications, L.L.C. <i>Order Approving Name Change</i>	15-RCOT-067-CCN	
4	In the Matter of the Application of Moundridge Telephone Company, Inc. for Additional Kansas Universal Service Fund Support. <i>Order Designating Prehearing Officer</i>	15-MRGT-097-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the 2014 Wolf Creek Decommissioning Cost Study as Provided by Wolf Creek Nuclear Operating Corporation in Accordance with the Commission's Order in Docket Number 163,561-U on December 9, 1992, and the Commission's Order in Docket 13-WCNE-204-GIE on June 13, 2013. Order Granting KCP&L's Petition to Intervene	15-WCNE-093-GIE	
6	In the Matter of the 2014 Wolf Creek Decommissioning Cost Study as Provided by Wolf Creek Nuclear Operating Corporation in Accordance with the Commission's Order in Docket Number 163,561-U on December 9, 1992, and the Commission's Order in Docket 13-WCNE-204-GIE on June 13, 2013. Order Granting CURB's Petition to Intervene	15-WCNE-093-GIE	
7	In the Matter of the Application of Kansas Gas Service, a Division of ONE Gas, Inc. for Approval by the Commission for a Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204. Order Granting CURB's Petition to Intervene	15-KGSG-088-TAR	
8	In the Matter of the Investigation of B-3 Construction, Inc. of Columbus, 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	15-TRAM-091-PEN	
9	In the Matter of the Investigation of Premier Housing, Inc., d/b/a Premier Homes of Holcomb, 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	15-TRAM-100-PEN	
10	In the Matter of the Emergency Suspension of Operating Authority of Bruce A. Rist, d/b/a BP Golf Sales of Lenexa, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	15-TRAM-101-OOS	
11	In the matter of the Application of Foundation Energy Management, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Nillie Keating 1-13 well located in the SE/4 of Section 13, Township 34 South, Range 31 West, Seward County, Kansas. Order Dismissing Application	14-CONS-101-CEXC	
12	In the Matter of the Application of Osage Resources, LLC for an Exception to the ten year time limitation of K.A.R. 82-3-111 for its Carr 3A-36 well located in Section 36, Township 32 South, Range 15 West, Barber County, Kansas Order Granting Application	14-CONS-857-CEXC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the matter of the application of Empire Energy E&P LLC for an exception of the 10-year time limitation of K.A.R. 82-3-111 for its Booth B4 well located in the NE-SW-NE of Section 29, Township 11 South, Range 15 West, Russell County, Kansas. Order Granting Application	14-CONS-884-CEXC	
14	In the matter of the application of Berexco LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kanzelmeyer #3 well located in the NE SE SW of Sec 6, T2S, R18W Phillips County, Kansas. Order Granting Application	14-CONS-900-CEXC	
15	In the matter of the application of Berexco LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Phinney #13 well located in the NE NE of Sec 30, T14S, R13W Russell County, Kansas. Order Granting Application	14-CONS-901-CEXC	
16	In the matter of the application of Hewitt Energy Group, Inc., for an exception to the 10-year time limitation of K.A.R. 82-3-111 for the Furthmyer #5 well in Section 23, Township 14 South, Range 15 West, Russell County, Kansas. Order Granting Application	14-CONS-914-CEXC	
17	In the matter of the application of Hewitt Energy Group, Inc., for an exception to the 10-year time limitation of K.A.R. 82-3-111 for the Neidenthal #12 well in Section 23, Township 14 South, Range 15 West, Russell County, Kansas. Order Granting Application	14-CONS-915-CEXC	
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 34-26S-39W (SE/4), Section 35-26S-39W (SW/4) in Hamilton County, Kansas, Section 2-27S-39W (NW/4), Section 3-27S-39W (NE/4) in Stanton County, Kansas (ATU 398) Order Granting Application	14-CONS-928-CUNI	
19	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 27-26S-39W (SE/4), Section 26-26S-39W (SW/4), Section 35-26S-39W (NW/4), Section 34-26S-39W (NE/4) in Hamilton County, Kansas (ATU 399) Order Granting Application	14-CONS-929-CUNI	
20	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 11-26S-39W (SE/4), Section 12-26S-39W (SW/4), Section 13-26S-39W (NW/4), Section 14-26S-39W (NE/4) in Hamilton County, Kansas (ATU 404) Order Granting Application	14-CONS-930-CUNI	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	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 31-25S-38W (SE/4), Section 32-25S-38W (SW/4), Section 6-26S-38W (NW/4) in Kearny County, Kansas, Section 1-26S-39W (NE/4) in Hamilton County, Kansas (ATU 408) Order Granting Application	14-CONS-931-CUNI	
22	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 15-30S-39W (SE/4), Section 14-30S-39W (SW/4), Section 23-30S-39W (NW/4), Section 22-30S-39W (NE/4) in Stanton County, Kansas (ATU 445) Order Granting Application	14-CONS-932-CUNI	
23	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 33-29S-38W (SE/4), Section 34-29S-38W (SW/4), Section 3-30S-38W (NW/4), Section 4-30S-38W (NE/4) in Grant County, Kansas (ATU 371) Order Granting Application	14-CONS-966-CUNI	
24	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 20-27S-38W (SE/4), Section 21-27S-38W (SW/4), Section 28-27S-38W (NW/4), Section 29-27S-38W (NE/4) in Grant County, Kansas (ATU 388) Order Granting Application	14-CONS-967-CUNI	
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 16-27S-38W (SE/4), Section 15-27S-38W (SW/4), Section 22-27S-38W (NW/4), Section 21-27S-38W (NE/4) in Grant County, Kansas (ATU 390) Order Granting Application	14-CONS-968-CUNI	
26	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 6-24S-35W (SE/4), Section 5-24S-35W (SW/4), Section 8-24S-35W (NW/4), Section 7-24S-35W (NE/4) in Kearny County, Kansas (ATU 329) Order Granting Application	15-CONS-033-CUNI	
27	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 22-32S-40W (SE/4), Section 23-32S-40W (SW/4), Section 26-32S-40W (NW/4), Section 27-32S-40W (NE/4) in Morton County, Kansas (ATU 345) Order Granting Application	15-CONS-034-CUNI	
28	In the Matter of the Application of Samuel Gary Jr. & Associates, Inc., for Horizontal Drilling of its Nilhas Trust 1-29H Well to be Located in Section 29, Township 11 South, Range 21 West, Trego County, Kansas. Order Granting Application for Commingling Authority	13-CONS-206-CHOR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
29	In the matter of an Order to Show Cause issued to CherokeeNRG LLC regarding responsibility under K.S.A. 55-179 for plugging 27 wells in Allen, Wilson, and Woodson Counties, Kansas. Order Granting Motion for Admission Pro Hac Vice	14-CONS-921-CSHO	
30	In the matter of the failure of SCZ Resources, LLC ("Operator") to comply with K.A.R. 82-3-103 and K.A.R. 82-3-106 at the Lindberg #L-13 and Lindberg #L-81 wells in Neosho County, Kansas. Penalty Order - SCZ Resources, LLC	15-CONS-211-CPEN	
31	In the matter of the failure of Bartling Oil Company to comply with K.A.R. 82-3-603 at the Liljegren #1, Stephens #2-15, Watson Farms #2, and West #1 wells in Greeley County, Kansas. Penalty Order - Bartling Oil Company	15-CONS-226-CPEN	
32	In the matter of the failure of PetroSantander (USA) Inc. to comply with K.A.R. 82-3-603 at the SMU Lease in Meade County, Kansas. Penalty Order - PetroSantander (USA) Inc.	15-CONS-227-CPEN	
33	In the matter of the failure of Running Foxes Petroleum Inc. ("Operator") to comply with K.A.R. 82-3-106 at the Hill #2-22A-3 well in Bourbon County, Kansas. Penalty Order - Running Foxes Petroleum, Inc.	15-CONS-228-CPEN	
34	In the matter of the failure of SCZ Resources, LLC ("Operator") to comply with K.A.R. 82-3-106 at the Baker #SCZ-40, Baker #SCZ-41, Baker #SCZ-44, Baker #SCZ-45, Baker #SCZ-46, and Baker #SCZ-48 wells in Miami County, Kansas. Penalty Order - SCZ Resources, LLC	15-CONS-229-CPEN	
35	In the Matter of the Investigation of Howison Heights Inc.'s Ability to Provide Sufficient and Efficient Service. Order Granting Staff's Motion	13-HHIW-460-GIV	X
36	In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of Revisions to Their General Terms and Conditions to Implement an Optional Prepay Service Pilot Program. Order Reopening Docket	14-WSEE-148-TAR	

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

For the Commission :

Shari Feist Albrecht
Shari Feist Albrecht, Chair

ABSENT
Jay Scott Emler, Commissioner

Pat Apple
Pat Apple, Commissioner

Attest:

Thomas A. Day
Thomas A. Day
Acting Executive Director

X