

Kansas Corporation Commission
Commission Meeting
October 2, 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 October 2, 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 Apple abstained from 14-KCPE-469-COM; item #8. Commissioner Emler moved to approve 14-KCPE-469-COM. Commissioner Albrecht seconded. Commissioner Apple moved for approval of the remaining items on the Consent Agenda: All other listed matters as presented for October 2, 2014 on the 5 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Emler seconded the Motion. Commissioner Albrecht concurred. Motion was approved.
 - b) **Noticed:**
 - (1) **Docket No. 15-MDWG-084-MIS: *In the Matter of the Application of Midwest Energy, Inc. for a Waiver of K.A.R. 82-11-11.***

Commissioner Emler moved for approval of order #14-3403 - *Order Granting Request for Waiver.* Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.
 - c) **Discussion/Presentation item(s):**
 - A. **Security Awareness Training Policy** presentation by Brian Richter, Chief Information Officer.

Commissioner Emler moved for approval of the *Security Awareness Training Policy.* Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.
 - B. **Docket No. 14-ATMG-230-TAR: *In the Matter of the Application of Atmos Energy to Amend its Purchase Gas Adjustment (PGA) Schedule to Add a Demand Charge Savings and Pipeline Bypass Savings Component to the PGA.***
- 4) **Other matters:**
 - A. Chair Albrecht motioned to move the Commission into Executive Session, Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice in issues and/or cases pending before the Commission, for a period of 15

minutes. Included in the Executive Session were Kansas Corporation Commission General Counsel, Dana Bradbury; Legal counsel Andrew French and Sam Feather; plus KCC staff, Jeff McClanahan.

- i. The Commission moved into Executive Session at 10:32 a.m.
- ii. The Commission re-convened in public session at 10:47 a.m.

The Commission took no action

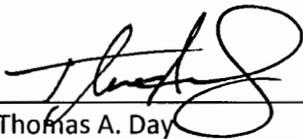
- B. Chair Albrecht motioned to move the Commission into Executive Session, for personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved, for a period of 20 minutes.

- iii. The Commission moved into Executive Session at 10:49 a.m.
- iv. The Commission re-convened in public session at 11:09 a.m.

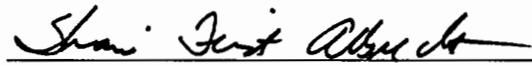
The Commission took no action

There being no further matters before the Commission, the Commission adjourned at 11:12 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, October 2, 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 MCImetro Access Transmission Services, LLC. <i>Order Approving Amended Interconnection Agreement</i>	06-SWBT-370-IAT	
2	In the Matter of the Audit of Cricket Communications, Inc. 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 Accepting Proposal of Cricket Communications, Inc. and Closing Docket</i>	13-CRCZ-712-KSF	
3	In the Matter of the Audit of HH Ventures, LLC d/b/a Ready Mobile PCS 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</i>	14-HHVZ-067-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Momentum Telecom, Inc. Order Cancelling Certificates	15-MOMT-096-CCS	
5	In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company to Make Certain Changes in Their Charges for Electric Service. ORDER DESIGNATING PREHEARING OFFICER; ORDER GRANTING INTERVENTION TO THE CITIZENS' UTILITY RATEPAYER BOARD	15-WSEE-115-RTS	
6	In the Matter of the Application of Kansas City Power & Light Company to Make Certain Changes in Its Charges for Electric Service. ORDER DESIGNATING PREHEARING OFFICER; ORDER GRANTING INTERVENTION TO THE CITIZENS' UTILITY RATEPAYER BOARD	15-KCPE-116-RTS	
7	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 Order Nunc Pro Tunc Correcting Order on Application	14-WSEE-428-ACA	
8	In the Matter of the Complaint Against KCP&L by Jennifer Henry. Order Dismissing Complaint * COMMISSIONER APPLE ABSTAINED*	14-KCPE-469-COM	
9	In the Matter of the Application of Plains Producers Association, Inc., a Kansas Not for Profit Corporation to Amend its Certificate of Convenience and Necessity to Provide Natural Gas Service in a Certain Portion of Meade County, Kansas Certificate	15-PPAG-113-COC	
10	In the Matter of ONEOK North System, L.L.C. Filing Tariff K.C.C. No. 4.5, Replacing Tariff K.C.C. No. 4.4 Suspension Order	15-ONSP-135-TAR	
11	In the Matter of Suburban Water, Inc. Submitting Lost Water Plan Pursuant to the Commission Order in Docket No. 13-SUBW-744-CON Order Granting Intervention to CURB	15-SUBW-117-CPL	
12	In the Matter of the Investigation of Universal Communications, L.L.C. 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. Penalty Order	15-TRAM-106-PEN	
13	In the Matter of the Investigation of Husqvarna Construction Products North America, 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. Penalty Order	15-TRAM-109-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of Joe Smith Company of Pittsburg, 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>	15-TRAM-108-PEN	
15	In the Matter of the Emergency Suspension of Operating Authority of Ventures Contracting, Inc. of McPherson, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	15-TRAM-140-OOS	
16	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 Closing Docket</i>	14-CONS-885-CSHO	
17	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. <i>Order Approving Settlement Agreement</i>	14-CONS-921-CSHO	
18	In the matter of the failure of John A. or Patricia R. Elmore ("Operator") to comply with K.A.R. 82-3-400 at the Cummings #W 1 and Walter #2 wells in Chautauqua County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-074-CPEN	
19	In the matter of the failure of Klima Well Service, Inc. ("Operator") to comply with K.A.R. 82-3-304 at the Alameda Unit #2-1, Alameda Unit #4-1, Alameda Unit OWWO #5-4, Alameda Unit #7-1, Alameda Unit #10-2, and Alameda Unit OWWO #13-2 wells in Kingman County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-093-CPEN	
20	In the matter of the failure of Kahan and Associates, Inc ("Operator") to comply with K.A.R. 82-3-400 at the Laudick A Twin #(TWIN) 1 well in Barton County, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-142-CPEN	
21	In the matter of the failure of LR Energy, Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Hladky SWD #14-28 well in Montgomery County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-154-CPEN	
22	In the matter of the failure of M M Energy, Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Gurley #10 well in Sumner County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-155-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the matter of the failure of Patrick Development Corporation ("Operator") to comply with K.A.R. 82-3-400 at the Hegwald #d-1 (WSW), Hendricks #PDC 11, Hendricks #PDC 10 and Henrichs #PDC 9 wells in Woodson and Allen Counties, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-197-CPEN	
24	In the matter of the failure of American Warrior, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Buckley-Doll #1-18 and Buckley-Doll #2-18 Restake wells in Rice County, Kansas. <i>Penalty Order - American Warrior, Inc.</i>	15-CONS-269-CPEN	
25	In the Matter of the Application of Dexas, Inc. for an Amendment to a Permit Authorizing the Disposal of Produced Water into the Applicant's Latimer #2 well in the NE/4 of Section 12, Township 33 South, Range 2 West, Sumner County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-240-CUIC	
26	In the Matter of the Application of Town Oil Company, Inc. to commence injection of saltwater into the Squirrel Formation at the Savage Lease, Well #1-W, #2-W, #3W, #5W and #6W, located in the NW/4 of Section 5, Township 18 South, Range 21 East, Franklin County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-241-CUIC	
27	In the matter of a Settlement Agreement between the Staff of the Kansas Corporation Commission and Kansas Petroleum Resources, LLC, regarding two wells in Rush County, Kansas. <i>Order Adopting Settlement Agreement</i>	15-CONS-268-CMSC	

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

For the Commission :

Shari Feist Albrecht

Shari Feist Albrecht, Chair

Jay Scott Emler

Jay Scott Emler, Commissioner

Pat Apple

Pat Apple, Commissioner

Attest:

Thomas A. Day

Thomas A. Day
Acting Executive Director

COMMISSIONER APPLE ABSTAINED, ITEM No. 8, DOCKET No. 14-KCPE-469-COM

TAD