

Kansas Corporation Commission
Commission Meeting
October 9, 2014
10:00am, 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regular scheduled open meeting of the Commission at 10:00am on October 9, 2014 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chair Albrecht, Commissioner Emler and Commissioner Apple.

The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Emler moved for approval of the Consent Agenda: All other listed matters as presented for October 9, 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 granted.
2. **Other matters:**
 - a. Chair Albrecht motioned to move the Commission into Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319(b)(2,) for consultation with an attorney to obtain legal advice, for a period of 20 minutes. Also called into the Executive Session was General Counsel, Dana Bradbury; Litigation counsel, Andrew French; and Jeff McClanahan, Utilities Director. Commissioner Emler seconded. Commissioner Apple concurred.

The Commission moved into Executive Session at 10:03am and reconvened in public session at 10:23am.

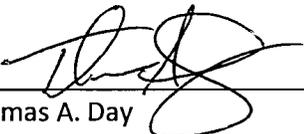
- b. The Commission took no action following Executive Session
- c. Chair Albrecht motioned to move the Commission into Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319(b)(2,) for consultation with an attorney to obtain legal advice, for a period of 15 minutes. Also called into the Executive Session was General Counsel, Dana Bradbury; Litigation counsel, Andrew French; and Jeff McClanahan, Utilities Director. Commissioner Emler seconded. Commissioner Apple concurred.

The Commission moved into Executive Session at 10:25am and reconvened in public session at 10:40am.

- d. The Commission took no action following Executive Session

There being no further matters before the Commission, the Commission adjourned at 10:42am.

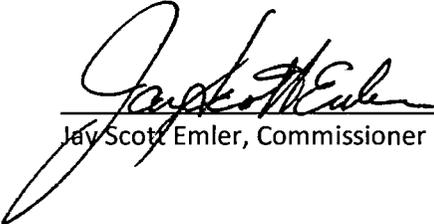
Respectfully submitted,



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 9, 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 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. <i>Protective and Discovery Order</i>	15-WCNE-093-GIE	
2	In the Matter of the Application of The Empire District Electric Company for an Order and Certificate Permitting Empire to Establish a Replacement Unsecured Revolving Line of Credit Facility ("Facility") in the Amount of up to \$200,000,000 with Wells Fargo Bank, National Association and Other Financial Institutions and to Execute the Necessary Credit Agreement, Letter of Credit and Loan Documents <i>Order Granting Application</i>	15-EPDE-094-SEC	
3	In the Matter of the Application of Moundridge Telephone Company, Inc. for Additional Kansas Universal Service Fund Support. <i>Order Establishing Procedural Schedule</i>	15-MRGT-097-KSF	

ATTACHMENT A

Consent Agenda

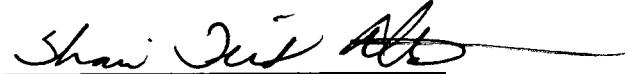
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Investigation of Gary & Terri Anstine, d/b/a Anstine Pumping Service of Gueda Springs, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Penalty Order</i>	15-TRAM-143-PEN	
5	In the Matter of the Investigation of Professional Fleet Services, LLC of Wichita, 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-147-PEN	
6	In the Matter of the Investigation of Abel Tree Service, LLC of Norton, 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-148-PEN	
7	In the matter of the failure of A & L Energy Operations LLC ("Operator") to comply with K.A.R. 82-3-400 at the Weidemier #22, Weidemier #23, Weidemier #24, Weidemier #26, Weidemier #27 and Weidemier #28 wells in Johnson County, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-045-CPEN	
8	In the matter of the failure of Carmen Schmitt, Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Peavey SWD #4 and Williams #2 wells in Ellis and Rush Counties, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-059-CPEN	
9	In the matter of the failure of Docking Development Company, LLC ("Operator") to comply with K.A.R. 82-3-400 at the Buerki #3 well in Sedgwick County, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-069-CPEN	
10	In the matter of the failure of Edison Operating Company LLC ("Operator") to comply with K.A.R. 82-3-400 at the Knop Etal #2 well in Rice County, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-070-CPEN	
11	In the matter of the failure of Robert Eitel ("Operator") to comply with K.A.R. 82-3-400 at the Elmer #HW-2, Elmer #HW-3, Elmer #HW-5, Elmer #HW-6, Elmer (A) #H-10, Elmer (A) #H-11, Elmer (A) #KX-8, Elmer (Albert) #B-6, Elmer (Albert) #F-2, Elmer (Albert) #H-2, Elmer (Albert) #J-2, Elmer (Albert) #LX-4, Elmer (Albert) #N-2, Elmer (Albert) #N-4 and Elmer (Albert) #RW-1 wells in Crawford County, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-073-CPEN	

Consent Agenda

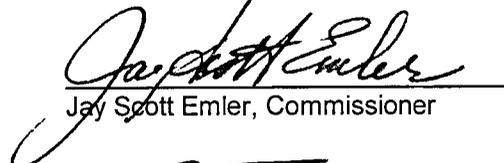
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
12	In the matter of the failure of Enerjex Kansas, Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Howell Gorges #BSI-1, Howell Gorges #BSI-2, Howell Gorges #BSI-4, Howell-Gorges #2 W, Howell-Gorges #3 W, Howell-Gorges #4 W, Howell-Gorges #5 W, Howell-Gorges #6 W, Howell-Gorges #7 W, Noe #2-T, Noe #3-W, Noe #4-W, Orser #A 3 (11, Orser #A 4 (12, Orser #A 5 (13, Orser #B 2 (23, Orser #B 3 (24, Orser #B 4 (25, Orser #B 5 (26, and Orser #B 6 (27 wells in Miami and Franklin Counties, Kansas. Order Approving Settlement Agreement	15-CONS-127-CPEN	
13	In the matter of the failure of Excalibur Production Company, Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Grandon #3 well in Reno County, Kansas. Order Approving Settlement Agreement	15-CONS-129-CPEN	
14	In the matter of the failure of Haas Petroleum, LLC ("Operator") to comply with K.A.R. 82-3-400 at the Alexander V #W 6, Edwards #4, G. Edwards #2I-HP and Kimbell #10 wells in Woodson County, Kansas. Order Approving Settlement Agreement	15-CONS-135-CPEN	
15	In the matter of the failure of Kenneth & Regina Laymon, LLC ("Operator") to comply with K.A.R. 82-3-400 at the Peterson #1-D and Roberts #8-SWD wells in Woodson County, Kansas. Order Approving Settlement Agreement	15-CONS-144-CPEN	
16	In the matter of the failure of Laymon Oil II, LLC ("Operator") to comply with K.A.R. 82-3-400 at the Alexander #4 DWS, Cantrell #8, Light A & B #W 6 and Tannahill #7 wells in Woodson County, Kansas. Order Approving Settlement Agreement	15-CONS-151-CPEN	
17	In the matter of the failure of Murfin Drilling Co., Inc. ("Operator") to comply with K.A.R. 82-3-400 at the Cahoj NE A #1-2 and Kastrup A #5 W wells in Rawlins and Russell County, Kansas. Order Partially Rescinding Penalty	15-CONS-195-CPEN	
18	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 Chrisler-Elliott #3 well located in the NW NE NE of Sec 12, T11S, R16W Ellis County, Kansas. Order Designating Prehearing Officer & Setting Prehearing Conference	15-CONS-119-CEXC	
19	In the Matter of the Application of SandRidge Exploration and Production, LLC for a Well Location Exception for the Jellison A 3319 9-5H 2L Well in Section 5, Township 33 South, Range 19 West, Harper County, Kansas. Order Granting Application	15-CONS-214-CWLE	

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

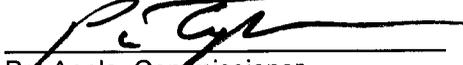
For the Commission :



Shari Feist Albrecht, Chair

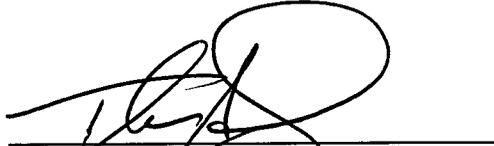


Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Thomas A. Day
Acting Executive Director