

Kansas Corporation Commission
Commission Meeting
January 6, 2015
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regular scheduled open meeting of the Commission at 10:03 a.m. on January 6, 2015 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 January 6, 2015 on the 3 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Apple seconded the Motion. Commissioner Albrecht concurred. Motion was approved.

2. **Noticed:**
 - A. **Docket No. 14-CONS-873-CSHO:** *In the matter of an Order to Show Cause regarding the removal of Commission seals at the Turkey Lease in Rooks County, Kansas.*

Commissioner Emler moved for approval of order #14-4346 - *Default Order*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

 - B. **Docket No. 15-CONS-009-CUNI:** *In the matter of the application of C12 Kansas Oil, LLC, for an order providing for the unitization and unit operation of the Post Rock Unit in Russell County, Kansas.*

Commissioner Emler moved for approval of order #15-0002 - *Order Affirming the Commission's December 11, 2014 Order on C12 Kansas's Motion to Compel*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

Commissioner Emler moved for approval of order #15-0003 - *Order Partially Granting Petroleum Property Service's Second Motion to Compel*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

Commissioner Emler moved for approval of order #15-0004 - *Order Partially Granting Mai Oil's Motion to Compel*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

Commissioner Emler moved for approval of order #15-0005 - *Order Denying Motion to Continue Deadlines and Hearing*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

 - C. **Docket No. 15-CONS-233-CUIC:** *In the Matter of the Application of Heavy Oil Treatment Solutions, LLC to authorize the injection of salt water into the Arbuckle Formation at the Robbins #3 Well, located in the NE/4 of Section 23, Township 12 South, Range 20 East, Leavenworth County, Kansas.*

Commissioner Emler moved for approval of order #15-0006 - *Order Granting Application*. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

D. Docket No. 15-WSEE-021-TAR: *In the Matter of Westar Energy, Inc. and Kansas Gas and Electric Company Seeking Commission Approval for Tariff Revisions to the Energy Efficiency Rider.*

Commissioner Apple moved for approval of order #14-4360 - *Order on Operating Budgets and EM&V Studies*. Commissioner Emler seconded the motion. Commissioner Albrecht concurred. Motion was approved.

3. Other matters:

- A. Chair Albrecht moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice, to protect the privacy of the individuals involved, for a period of 10 minutes. Also called into Executive Session was Litigation counsel, Amber Smith. Commissioner Emler seconded. Commissioner Apple concurred.

The Commission moved into Executive Session at 10:22 a.m. and reconvened in public session at 10:32 a.m.

- B. The Commission took no action following this Executive Session.

- C. Chair Albrecht moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice, to protect the privacy of the individuals involved, for a period of 15 minutes. Also called into Executive Session was Litigation counsel, Sam Feather and Utilities Director, Jeff McClanahan. Commissioner Emler seconded. Commissioner Apple concurred.

The Commission moved into Executive Session at 10:33 a.m. and reconvened in public session at 10:48 a.m.

- D. The Commission took no action following this Executive Session.

- E. C Chair Albrecht moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice, to protect the privacy of the individuals involved, for a period of 15 minutes. Also called into Executive Session was Litigation counsel, Sam Feather and Utilities Director, Jeff McClanahan. Commissioner Emler seconded. Commissioner Apple concurred.

The Commission moved into Executive Session at 10:51 a.m. and reconvened in public session at 11:01 a.m.

- F. The Commission took no action following this Executive Session.

- G. Chair Albrecht moved to meet in 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. Commissioner Apple seconded. Commissioner Emler concurred.

The Commission moved into Executive Session at 11:03 a.m. and reconvened in public session at 11:23 a.m.

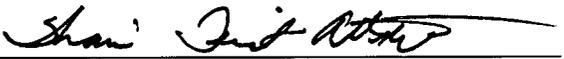
H. The Commission took no action following this Executive Session.

There being no further matters before the Commission, the Commission adjourned at 11:24 a.m.

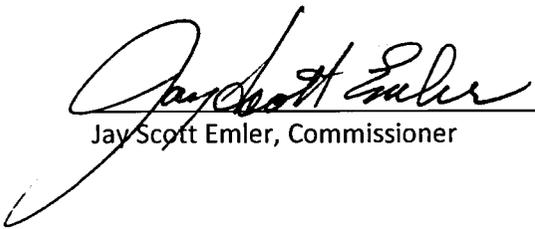
Respectfully submitted,



Thomas A. Bay
Acting Secretary of the Commission



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, January 6, 2015

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 The Pioneer Telephone Association, Inc. Filing for Kansas Video Service Authorization. <i>Order Granting Amended VSA</i>	08-PNRT-796-VSA	
2	In the Matter of the Application High Plains Telecommunications, Inc. Filing for Kansas Video Service Authorization. <i>Order Granting Amended VSA</i>	08-HPTC-797-VSA	
3	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rates for Rate-of-Return Regulated Carriers for the Seventeenth Year of the Kansas Universal Service Fund, Effective March 1, 2013. <i>Order Approving Allocation; Traffic Factors; Penalty; Cox Kansas</i>	13-GIMT-130-GIT	
4	In the Matter of an Investigation to Determine the Assessment Rate for the Eighteenth Year of the Kansas Universal Service Fund, Effective March 1, 2014. <i>Order Approving Traffic Factors USCOC of NebKan and Kan15</i>	14-GIMT-105-GIT	

ATTACHMENT A

Consent Agenda

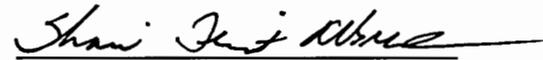
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Staff's Petition to Open a General Investigation to Close ComLinq, Inc.'s Kansas Universal Service Fund (KUSF) Account, KS 006338, and Write-Off the Delinquent Balance on the Company's Account. Order Authorizing GVNW to Write-Off ComLinq's Delinquent KUSF Balance and Close Account	15-GIMT-274-GIT	
6	In the Matter of the Application of Sunflower Electric Power Corporation and Kansas Electric Power Cooperative, Inc. for an Order Approving a New Wholesale Power Agreement. Suspension Order	06-SEPE-1203-CON	
7	In the Matter of the General Investigation Into the Operations of Kansas Gas Service, A Division of One Gas, Inc., Regarding the Natural Gas Incident That Occurred in the Vicinity of the Intersection of NW Grant Street and Tyler Street, Topeka, Kansas. Order and Penalty	14-KGSG-566-GIP	
8	In the Matter of the Application of Atoms Energy for Approval of the Commission for Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204. Order Adopting Staff's Report and Recommendation	14-ATMG-221-TAR	
9	In the Matter of the Application of Atmos Energy Seeking Commission Approval for Ad Valorem Tax Surcharge Rider Tariff Adjustment for 2015. Order Approving Ad Valorem Tax Surcharge Rider	15-ATMG-250-TAR	
10	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy Seeking Commission Approval for Ad Valorem Tax Surcharge Rider Tariff Adjustments for 2015. Order Approving Ad Valorem Tax Surcharge Rider	15-BHCG-251-TAR	
11	In the Matter of Mid-America Pipeline Company, LLC Seeking Commission Approval for KCC Tariff No. 18.3.0 to Replace KCC Tariff No. 18.2.0 Suspension Order	15-MDAP-253-TAR	
12	In the Matter of the Emergency Suspension of Operating Authority of Fast Line Transport, Inc., d/b/a FLT of Overland Park, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	15-TRAM-205-OOS	
13	In the Matter of the Investigation of All Seasons Party Rental, Inc. of Kansas City, 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-259-PEN	

Consent Agenda

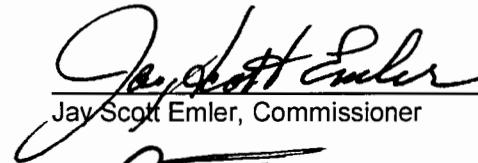
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of True North Services, LLC of Kansas City, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Penalty Order</i>	15-TRAM-261-PEN	
15	In the Matter of the Application of Range Oil Company, Inc., to authorize the injection of saltwater into the Simpson Formation at the Bowman #2 well located in Section 4, Township 29 South, Range 3 East, Butler County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-469-CUIC	

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

For the Commission :



Shari Feist Albrecht, Chair

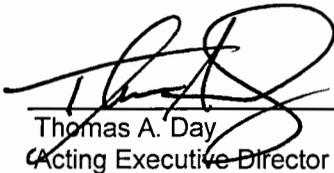


Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Thomas A. Day
Acting Executive Director

Kansas Corporation Commission
Commission Meeting
January 6, 2014
11:30 a.m. 6425 SW 6th Ave, Classroom B
Kansas Historical Society, Topeka, Kansas

MINUTES

The Commission convened an open meeting of the Commission at 11:45 a.m. on January 6, 2014 in Classroom B at Kansas Historical Society, 6425 SW 6th Ave, Topeka, Kansas.

Present: Chair Albrecht, Commissioner Emler and Commissioner Apple.

1. Other matters:

- A. Chair Albrecht moved to meet in 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 30 minutes. Also called into the Executive Session: Brian Fedotin, Jay Van Blaricum, Amber Smith, Gail Alderson, Justin Grady, Jeff McClanahan, Christine Aarnes, Bob Glass, Mike Hoeme, Gary Davenport, Jesse Borjon, Leo Haynos, Brian Richter, Neysa Thomas, Danelle Harsin, Amy Gilbert, Ryan Hoffman, and Barry Metz. Commissioner Apple seconded. Commissioner Emler concurred.

The Commission moved into Executive Session at 1:57 p.m. and reconvened in public session at 2:27 p.m.

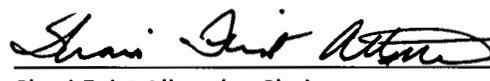
- B. The Commission took no action following this Executive Session.

There being no further matters before the Commission, the Commission adjourned at 4:05 a.m.

Respectfully submitted,



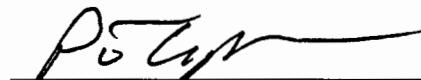
Neysa Thomas
Acting Secretary of the Commission



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner