

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

MINUTES

The Commission convened the regular scheduled open meeting of the Commission at 10:00 a.m. on March 10, 2015 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 SW 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 March 10, 2015 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.

2. **Noticed:**

- A. **Docket No. 15-CONS-456-CUIC, *In the Matter of the Application of Triple T Oil, LLC, to authorize the injection of saltwater into the Squirrel Formation at the Weaver Lease, Well Nos. I-1, I-2, I-3, I-7 and I-8 located in Section 18, Township 16 South, Range 24 East, Miami County, Kansas.***

Commissioner Emler moved for approval of order #15-0762, *Order Granting Application*. Commissioner Albrecht seconded the motion. Commissioner Apple abstained. Motion was approved.

- B. **Docket No. 15-CONS-469-CUIC, *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***

Commissioner Emler moved for approval of order #15-0779 - *Order Continuing Hearing and Denying Joint Motion for Approval of Settlement Agreement*. Commissioner Albrecht seconded the motion. Commissioner Apple concurred. Motion was approved.

- C. **Docket No. 15-KCPE-116-RTS, *In the Matter of the Application of Kansas City Power & Light Company to Make Certain Changes in Its Charges for Electric Service.***

Commissioner Emler moved for approval of order #15-0774 - *Order Granting Intervention to Atmos Energy and Kansas Gas Service; Limited Intervention to*

Brightergy Commissioner Apple 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, in anticipation for litigation, to obtain legal advice for a period of 15 minutes. Also called into the Executive Session was Litigation Counsel Sam Feather and Andrew French. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

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

The Commission took the following action following this Executive Session:

Commissioner Emler moved for staff to intervene and file comments in FERC dockets RP15-519 and RP15-594. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

- B. 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 Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:26 a.m. and reconvened in public session at 10:46 a.m.

The Commission took no action following this Executive Session.

- C. 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 15 minutes. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:47 a.m. and reconvened in public session at 11:02 a.m.

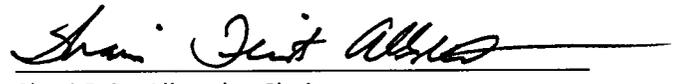
The Commission took no action following this Executive Session.

There being no further matters before the Commission, Commissioner Emler moved for adjournment of the Commission meeting, Commissioner Apple seconded the Motion, Commissioner Albrecht concurred. The Motion was granted, the Commission adjourned at 11:03 a.m.

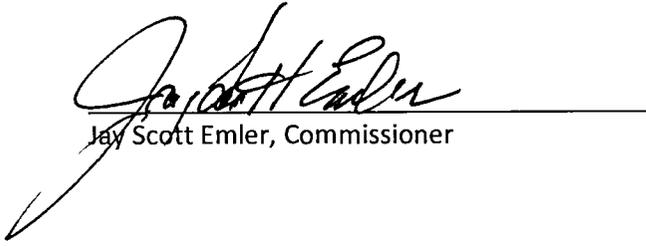
Respectfully submitted,



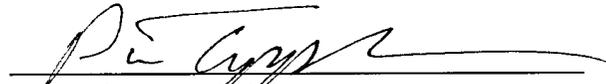
Neysa Thomas
Acting Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, March 10, 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 Business 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 Business 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 MCC Telephony of the Midwest, LLC. <i>Order Approving Modifications to Interconnection Agreement</i>	10-SWBT-653-IAT	
2	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 Accepting Continued Use of Allocation Methodology for Tracfone Wireless, Inc.</i>	13-GIMT-130-GIT	
3	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 Accepting Continued Use of Allocation Methodology for Tracfone Wireless, Inc.</i>	14-GIMT-105-GIT	
4	In the Matter of Application of Talk America Services, LLC for a Certificate of Authority to Provide Resold Local Exchange Telecommunications Services in the State of Kansas <i>Order Approving CLEC Certificate</i>	15-TAST-131-COC	

Consent Agenda

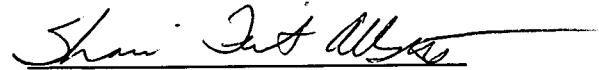
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Application of Talk America Services, LLC for a Certificate of Authority to Provide Resold Interexchange Telecommunications Services in the State of Kansas Order Granting IXC Certificate	15-TAST-132-COC	
6	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas. Section 34, Township 24 South, Range 31 West, Finney County, Kansas. Certificate	15-BHCG-311-COC	
7	In the Matter of the Application of Kansas Gas and Electric Company, Doing Business As Westar Energy, Inc., for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility, Specifically in Portions of Sections 19, 29 and 30, Township 31 South, Range 5 East, Cowley County, Kansas (Transmission Rights Only) Certificate	15-KG&E-266-COC	
8	In the Matter of a General Investigation into the Appropriateness of Certain Sections of the Kansas Corporation Commission's Electric and Natural Gas Billing Standards (Billing Standards) Related to On-Premises Collections. Discovery and Protective Order; Order Designating Prehearing Officer; Order Granting Citizens' Utility Ratepayer Board's Petition to Intervene	15-GIMX-344-GIV	
9	In the Matter of the Investigation of Tim Harrod, d/b/a Redy2Party of Lawrence, 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-348-PEN	
10	In the Matter of the Investigation of Construction Equipment Services, Inc. of Miami, Florida, 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. Order Granting Staff's Motion to Dismiss	15-GIMM-279-KHP	
11	In the Matter of the Application of Continental Operating Co. to authorize the injection of saltwater into the Arbuckle Formation at the Stamper #H-1 well, located in Section 32, Township 8 South, Range 17 West, Rooks County, Kansas. Order Designating Prehearing Officer & Setting Prehearing Conference	15-CONS-753-CUIC	
12	In the matter of the failure of Bow Creek Oil Company, General Partnership ("Operator") to comply with K.A.R. 82-3-111 at the Jensen #1, Wilhelm Unit #6, Wilhelm Unit #16 and Wilhelm Unit #21 wells in Ellis and Rawlins County, Kansas. Penalty Order - Bow Creek Oil Company, General Partnership	15-CONS-754-CPEN	
13	In the matter of the failure of Pelican Hill Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-103 and K.A.R. 82-3-106 at the T-Nelson #1-26 well in Gove County, Kansas. Penalty Order - Pelican Hill Oil & Gas, Inc.	15-CONS-755-CPEN	

Consent Agenda

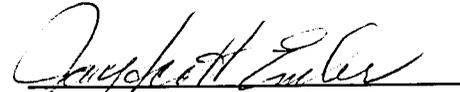
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the matter of the application of Berexco LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Tobias Simpson Unit #3-8 well located in the SE SW NW of Sec 36, T20S, R9W, Rice County, Kansas. <i>Order Granting Application</i>	15-CONS-634-CEXC	
15	In the matter of the application of Dixon Operating Company, LLC for an exception to the 10-year limitation of K.A.R. 82-3-111 for its Forsyth Unit #2-3 well located in the Northwest Quarter of Section 19, Township 32 South, Range 12 West, Barber County, Kansas. <i>Order Granting Application</i>	15-CONS-636-CEXC	
16	D20813 Order Granting Waiver to Notice - Mai Oil Operations, Inc.		

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:


Neysa Thomas
Acting Secretary