

**Kansas Corporation Commission**  
**Commission Meeting**  
**April 7, 2015**  
10:00 a.m. 1<sup>st</sup> 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 April 7, 2015 in the 1<sup>st</sup> 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 Apple motioned approval of the Consent Agenda: All other listed matters as presented for April 7, 2015 on the 6page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Emler 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 #15-1121- *Order Closing Docket.* Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.**

- B. **Docket No. 15-CONS-633-CSHO. In the matter of an Order to Show Cause issued to Mark George, Roger Kent dba RJ Enterprises, and Laymon Oil II, LLC regarding responsibility under K.S.A. 55-179 for plugging the Fundis #5 well in Coffey County, Kansas.**

**Commissioner Emler moved for approval of order #15-1122- *Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference,* with the following revisions removing "litigation counsel" after Lane Palmateer's name in Paragraph A. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.**

- C. **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.**

**Commissioner Emler moved for approval of order #15-1141 - *Order Approving Unanimous Stipulation and Agreement.* Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.**

**D. Docket No. 15-AEGG-158-RTS, In the Matter of the Application of American Energies Gas Service, LLC, to Change its Rates for Natural Gas Service and for Approval of its New Agreements with American Energies Pipeline, LLC.**

**Commissioner Emler moved for approval of order #15-1151 - Interim Order Approving Unanimous Stipulation and Agreement . 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 20 minutes. Also called into the Executive Session was Litigation Counsel Andrew French and Sam Feather and staff Jeff McClanahan, Adam Gatewood and Justin Grady. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 10:11 a.m. and reconvened in public session at 10:31 a.m.

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

- 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 45 minutes. Also called into Executive Session was Director of Human Resources, Danelle Harsin. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:33 a.m. and reconvened in public session at 11:17 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 30 minutes. Also called into Executive Session was Director of Human Resources, Danelle Harsin. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 11:18 a.m. and reconvened in public session at 11:48 a.m.

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

- D. 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. Also called into Executive Session was Director of Human Resources, Danelle Harsin. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 11:52 a.m. and reconvened in public session at 12:08 p.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 Albrecht seconded the Motion. Commissioner Albrecht concurred. The Motion was granted, the Commission adjourned the April 7, 2015 Commission Meeting at 12:10 p.m..**

Respectfully submitted,



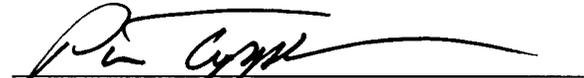
Neysa Thomas  
Acting Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, April 7, 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 an Order to Show Cause issued to Four-Star Production, Ltd. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Show Cause - Four-Star Production</i>	15-CONS-704-CSHO	
2	In the matter of an Order to Show Cause issued to Astro Petroleum, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Show Cause - Astro Petroleum</i>	15-CONS-705-CSHO	
3	In the matter of an Order to Show Cause issued to Aztex Petroleum Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Show Cause - Aztex Petroleum</i>	15-CONS-706-CSHO	
4	In the matter of an Order to Show Cause issued to Bearpaw Petroleum, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Show Cause - Bearpaw Petroleum</i>	15-CONS-707-CSHO	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of an Order to Show Cause issued to R.T. and C. Petroleum ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - R.T. and C. Petroleum</b>	15-CONS-708-CSHO	
6	In the matter of an Order to Show Cause issued to Flint Hills Production ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Flint Hills Production</b>	15-CONS-709-CSHO	
7	In the matter of an Order to Show Cause issued to Brougher Oil, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Brougher Oil</b>	15-CONS-710-CSHO	
8	In the matter of an Order to Show Cause issued to Jolly J., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Jolly J., Inc.</b>	15-CONS-711-CSHO	
9	In the matter of an Order to Show Cause issued to Layton Oil Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Layton Oil Company</b>	15-CONS-712-CSHO	
10	In the matter of an Order to Show Cause issued to Centennial Energy Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Centennial Energy Company</b>	15-CONS-713-CSHO	
11	In the matter of an Order to Show Cause issued to Cinco Exploration Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Cinco Exploration Company</b>	15-CONS-714-CSHO	
12	In the matter of an Order to Show Cause issued to Woco, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Woco, Inc.</b>	15-CONS-716-CSHO	
13	In the matter of an Order to Show Cause issued to Manna Production Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Manna Production Co., Inc.</b>	15-CONS-717-CSHO	
14	In the matter of an Order to Show Cause issued to Von Feldt Crude Oil Producers ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Von Feldt Crude Oil Producers</b>	15-CONS-718-CSHO	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of an Order to Show Cause issued to Flynn Energy Corp. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Flynn Energy</b>	15-CONS-719-CSHO	
16	In the matter of an Order to Show Cause issued to Wright Energy Mid-West, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Wright Energy Mid-West, Inc.</b>	15-CONS-720-CSHO	
17	In the matter of an Order to Show Cause issued to Price Resources ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Price Resources</b>	15-CONS-721-CSHO	
18	In the matter of an Order to Show Cause issued to L.C.G. Co. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - L.C.G. Co.</b>	15-CONS-722-CSHO	
19	In the matter of an Order to Show Cause issued to R.C. Oil Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - R.C. Oil Company</b>	15-CONS-723-CSHO	
20	In the matter of an Order to Show Cause issued to Chase Exploration Corp. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Chase Exploration Corp.</b>	15-CONS-724-CSHO	
21	In the matter of an Order to Show Cause issued to Wichita Industries, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Wichita Industries, Inc.</b>	15-CONS-725-CSHO	
22	In the matter of an Order to Show Cause issued to Enyart-Grismore Oil Lease ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Enyart-Grismore Oil Lease</b>	15-CONS-726-CSHO	
23	In the matter of an Order to Show Cause issued to Associated Producers ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Associated Producers</b>	15-CONS-727-CSHO	
24	In the matter of an Order to Show Cause issued to Viable Resources, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Show Cause - Viable Resources, Inc.</b>	15-CONS-728-CSHO	

**Consent Agenda**

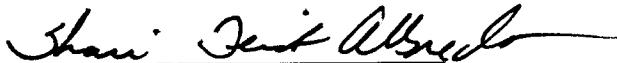
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the matter of the failure of Owens Petroleum LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Holloway-4 #11 in Woodson County, Kansas. <b>Order Rescinding Penalty</b>	15-CONS-595-CPEN	
26	In the matter of the application of Merit Energy Company for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Boles C-2 well in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 11, Township 35 South, Range 34 West, Seward County, Kansas. <b>Order Granting Application</b>	15-CONS-756-CEXC	
27	In the matter of the application of Merit Energy Company for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Boles C-3 well in the East Half of the Southeast Quarter of the Northwest Quarter of Section 11, Township 35 South, Range 34 West, Seward County, Kansas. <b>Order Granting Application</b>	15-CONS-757-CEXC	
28	In the Matter of the Investigation of Cow Town Nutrition LLC of Abilene, 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. <b>Penalty Order</b>	15-TRAM-382-PEN	
29	In the Matter of the Investigation of Kuntz Farms Harvesting, Inc. of Wakeeney, 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. <b>Penalty Order</b>	15-TRAM-411-PEN	
30	In the Matter of the Investigation of J. Warren Co., Inc. of Topeka, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <b>Penalty Order</b>	15-DPAX-439-PEN	
31	In the Matter of the Investigation of Robert Wilson Co., Inc., d/b/a Wilson Lighting of Overland Park, 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. <b>Penalty Order</b>	15-TRAM-433-PEN	
32	In the Matter of the Investigation of Wil Fischer Distributing of Kansas, L.L.C. of Lenexa, 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. <b>Penalty Order</b>	15-TRAM-442-PEN	

**Consent Agenda**

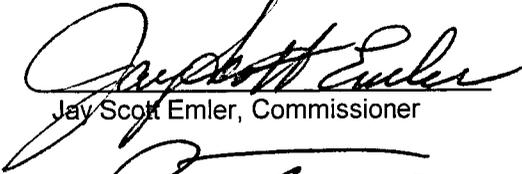
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
33	In the Matter of the Investigation of Lucas Towing II LLC of Olathe, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Penalty Order</i>	15-TRAM-443-PEN	
34	In the Matter of the Investigation of D & D Towing, LLC of Hutchinson, 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-450-PEN	
35	In the Matter of the Emergency Suspension of Operating Authority of Eldon Walters, d/b/a Hotshot Express of Olathe, 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-441-OOS	
36	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. <i>Order Approving Traffic Factors CNP d/b/a Pioneer Cellular</i>	15-GIMT-073-GIT	

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

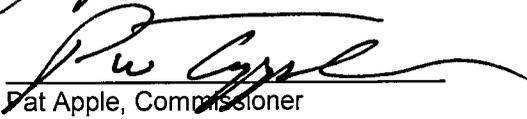
For the Commission :



Shari Feist Albrecht, Chair

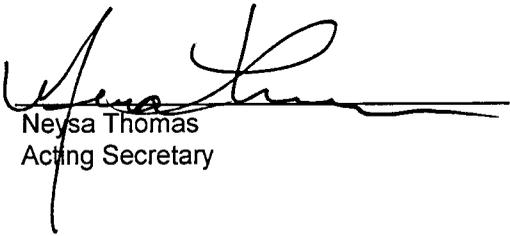


Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Neysa Thomas  
Acting Secretary