

Kansas Corporation Commission
Commission Meeting
April 21, 2015
10:00 a.m. 1st floor hearing room
1500 SW Arrowhead, Topeka, Kansas

MINUTES

The April 21, 2015 regular scheduled meeting of the Kansas Corporation Commission was called to order at 10:00 a.m. in the 1st floor hearing room at 1500 SW Arrowhead Road, Topeka, Kansas.

Commissioner Apple and Commissioner Emler were present. Chair Albrecht appeared by telephone.

Commissioner Apple expressed the sorrow of the Commission in hearing of the passing of Sheryl Sparks, a friend and co-worker. Sheryl was a dedicated employee who was devoted to the work of the Commission, where she had worked for 33 years and 3 days. He also expressed the Commission's condolences to her family, friends and co-workers.

The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Apple moved to approve the Consent Agenda: All other listed matters as presented for April 21, 2015 on the 4 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Emler seconded the Motion. Commissioner Albrecht abstained. Motion was approved.

2. **Other matters:** Discussion/Presentation Item(s)
 - A. Amended Regulations
K.A.R. 82-3-100, 82-3-106, 82-3-109, 82-3-203, 82-3-207, 82-3-208, 82-3-209, and 82-3-312

 - Revoked Regulations
K.A.R. 82-2-402, 82-2-506, 82-2-507 and 82-3-1100 to 82-3-1120

Commissioner Apple moved to approve the Certificate of Adoption as outlined below, Commissioner Albrecht seconded and Commissioner Emler concurred. Motion carried and a roll call vote was taken.

I hereby certify that the State Corporation Commission of the State of Kansas, by unanimous roll call vote on April 21, 2015, adopted as amended regulations K.A.R. 82-3-100, 82-3-106, 82-3-109, 82-3-203, 82-3-207, 82-3-208, 82-3-209, and 82-3-312. All of these regulations were adopted as permanent regulations. K.A.R. 82-2-402, 82-2-506, 82-2-507 and 82-3-1100 to 82-3-1120 were revoked.

K.A.R. 82-3-100, 82-3-106, 82-3-109, 82-3-203, 82-3-207, 82-3-208, 82-3-209, and 82-3-312 are hereby filed for adoption and K.A.R. 82-2-402, 82-2-506, 82-2-507 and 82-3-1100 to 82-3-1120 are filed for revocation; and the Economic Impact Statement, Notice of Public Hearing, Rene Stucky's Public Hearing Testimony and Exhibits, the comment from the Joint Committee on

Administrative Rules and Regulations, and all additional comments to the regulations, are enclosed.

Roll Call Vote:

Chair Shari Albrecht	<u>Yes</u>
Commissioner Jay Scott Emler	<u>Yes</u>
Commissioner Pat Apple	<u>Yes</u>

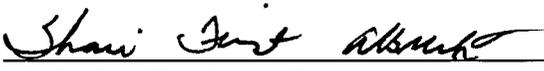
3. Other matters:

There being no further matters before the Commission, Commissioner Apple moved for adjournment of the Commission meeting, Commissioner Albrecht seconded the Motion. Commissioner Emler concurred. The Motion was granted, the Commission adjourned the April 21, 2015 Commission Meeting at 10:07 a.m.

Respectfully submitted,



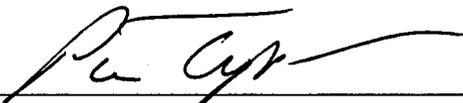
Amy L. Gilbert
Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner

KANSAS CORPORATION COMMISSION

CERTIFICATE OF ADOPTION

I hereby certify that the State Corporation Commission of the State of Kansas, by unanimous roll call vote on April 21, 2015, adopted as amended regulations K.A.R. 82-3-100, 82-3-106, 82-3-109, 82-3-203, 82-3-207, 82-3-208, 82-3-209, and 82-3-312. All of these regulations were adopted as permanent regulations. K.A.R. 82-2-402, 82-2-506, 82-2-507 and 82-3-1100 to 82-3-1120 were revoked.

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Roll Call Vote:

Chair Shari Albrecht

Yes

Commissioner Jay Scott Emler

Yes

Commissioner Pat Apple

Yes

Amy L Gilbert
Amy L Gilbert
Secretary

April 21, 2015
Date



ITEMS OF Consent Agenda

Approval Date: Tuesday, April 21, 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 for Approval fo a Commercial Mobile Radio Services (CMRS) Interconnection Agreement by and Between United Telephone Company of Eastern Kansas d/b/a CenturyLink and New Cingular Wireless PCS, LLC Pursuant to The Telecommunications Act of 1996. <i>Order Approving Interconnection Agreement</i>	15-UTET-447-IAT	
2	In the Matter of the Application for Approval of a Commercial Mobile Radio Services (CMRS) Interconnection Agreement By and Between Embarq Missouri, Inc. d/b/a CenturyLink And New Cingular Wireless PCS, LLC Pursuant to The Telecommunications Act of 1996 <i>Order Approving Interconnection Agreement</i>	15-USET-455-IAT	
3	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. <i>Order on Petitions to Intervene and Motions for Admission Pro Hac Vice</i>	15-WSEE-115-RTS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Kansas City Power & Light Company for Approval of Its 2015 Energy Efficiency Rider for Program Costs Incurred January 1 Through December 31, 2014. <i>Order Granting CURB's Petition to Intervene</i>	15-KCPE-448-TAR	
5	In the Matter of the Emergency Suspension of Operating Authority of Donald E. Cupp, d/b/a Don's Firewood of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Order Reinstating Motor Carrier Operating Authority</i>	15-TRAM-400-OOS	
6	In the Matter of the Emergency Suspension of Operating Authority of Nick Callender of Mayfield, 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-475-OOS	
7	In the Matter of the Emergency Suspension of Operating Authority of Reynolds Construction, Inc. 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-476-OOS	
8	In the Matter of the Emergency Suspension of Operating Authority of Johnsons Delivery & Install, LLC of Gardner, 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-477-OOS	
9	In the Matter of the Emergency Suspension of Operating Authority of Premier Grounds Maintenance, Inc. of Louisburg, 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-478-OOS	
10	In the Matter of the Emergency Suspension of Operating Authority of Orange Industries, LLC of Leavenworth, 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-479-OOS	
11	In the Matter of the Emergency Suspension of Operating Authority of R-Design Homes, Inc. of Paola, 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-480-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
12	In the Matter of the Investigation of Conspec, Inc., d/b/a Kansas Paving 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-454-PEN	
13	In the Matter of the Investigation of Geyla Varela, d/b/a E & J Transport of Garden 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-464-PEN	
14	In the Matter of the Investigation of Mac's Fence, 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. <i>Penalty Order</i>	15-TRAM-465-PEN	
15	In the Matter of the Investigation of Delbert's Septic & Plumbing Service, LLC of Humboldt, 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-473-PEN	
16	In the matter of the failure of Stephen C. Jones ("Operator") to comply with K.A.R. 82-3-111 at the Truelove #1, Truelove #7-1, Truelove #7-2, Truelove #13-1, Truelove #18-1, Truelove #39 and Truelove #41 wells in Coffey County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-654-CPEN	
17	In the matter of the failure of KC Resources, Inc. dba Crystal River ("Operator") to comply with K.A.R. 82-3-407 at the Cunningham B Unit #41 and Cunningham B Unit #46 in Barber County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-766-CPEN	
18	In the Matter of the Application of Linn Operating, Inc. for an order providing for the unitization and unit operation of a part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit described as Section 14-29S-39W (SE/4), Section 13-29S-39W (SW/4), Section 24-29S-39W (NW/4), Section 23-29S-39W (NE/4) in Stanton County, Kansas (ATU 224) <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-768-CUNI	
18	In the Matter of the Application of Linn Operating, Inc. for an order providing for the unitization and unit operation of a part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit described as Section 12-27S-38W (SE/4), Section 07-27S-37W (SW/4), Section 18-27S-37W (NW/4), Section 13-27S-38W (NE/4) in Grant County, Kansas (ATU 150X) <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-776-CUNI	

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

For the Commission:

Abstained
Shari Feist Albrecht, Chair

Jay Scott Emler
Jay Scott Emler, Commissioner

Pat Apple
Pat Apple, Commissioner

Attest: Amy L. Gilbert
Amy L. Gilbert
Secretary