

**Kansas Corporation Commission**  
**Commission Meeting**  
**April 23, 2015**  
10:00 a.m. 1<sup>st</sup> floor hearing room  
1500 SW Arrowhead, Topeka, Kansas

**MINUTES**

The April 23, 2015 regular scheduled meeting of the Kansas Corporation Commission was called to order at 10:00 a.m. in the 1<sup>st</sup> floor hearing room at 1500 SW Arrowhead Road, Topeka, Kansas.

Commissioner Emler and Commissioner Apple were present. Chair Albrecht was not in attendance.

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 23, 2015 on the 3 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Emler seconded the Motion. Motion was approved.

2. **Noticed:**

- A. **Docket No. 15-CONS-770-CMSC, In the Matter of an Order Reducing Saltwater Injection Rates into the Arbuckle Formation, Applicable to Wells in Defined Areas of Increase Seismic Activity in Harper and Sumner Counties.**

Commissioner Apple moved for approval of order #15-1356 - *Order Granting Intervention and Designating Prehearing Officer*. Commissioner Emler seconded the motion. Motion was approved.

- B. **Docket No. 15-CONS-173-CMSC, In the matter of compliance for Joe Brake to plug wells on the Korte Lease in Butler County, Kansas**

Commissioner Apple moved for approval of order #15-1341 - *Penalty Order*. Commissioner Emler seconded the motion. Motion was approved.

- C. **Docket No. 15-KGSG-291-TAR, In the Matter of the Application for Kansas Gas Service for Approval of the Weather Normalization Adjustment Rider.**

Commissioner Apple moved for approval of order #15-1360, *Order Granting Application*. Emler seconded the motion. Motion was approved.

3. **Other matters:** The Commission recessed the meeting at 10:08 a.m. and will recess until 3:00 p.m.

Chair Albrecht, Commissioner Emler and Commissioner Apple were present. The Commission reconvened the business meeting at 3:01 p.m.

- A. Commissioner Emler 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. Commissioner Albrecht seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 3:02 p.m. and reconvened in public session at 3:32 p.m.

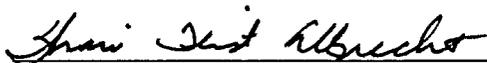
**The Commission took no action in Executive Session.**

- B. Commissioner Apple moved the Commission approve and enter into the confidential settlement agreement regarding a personnel matter; and further moved the Commission approve the expenditure of \$29,458.56 in settlement of the personnel matter. Chair Albrecht seconded and Commissioner Emler concurred. Motion was approved.

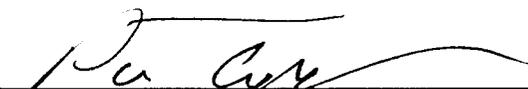
There being no further matters before the Commission, Commissioner Apple moved for adjournment of the Commission meeting, Commissioner Albrecht seconded the Motion. Commissioner Emler concurred. The Motion was granted, the Commission adjourned the April 23, 2015 Commission Meeting at 3:35 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Amy L. Gilbert  
Secretary

  
\_\_\_\_\_  
Shari Feist Albrecht, Chair

  
\_\_\_\_\_  
Jay Scott Emler, Commissioner

  
\_\_\_\_\_  
Pat Apple, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, April 23, 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 Audit of Southwestern Bell Telephone Company by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2013 Supp. 2010(b) for KUSF Operating Year 17, Fiscal Year March 2013-February 2014 <i>Order Adopting Audit Report and Closing Docket</i>	15-SWBT-041-KSF	
2	In the Matter of the Audit of Alltel Communications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2013 Supp. 2010(b) for KUSF Operating Year 17, Fiscal Year March 2013-February 2014 <i>Order Adopting Audit Report and Closing Docket</i>	15-ALTC-042-KSF	
3	In the Matter of the Audit of Verizon Wireless (VAW) LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2013 Supp. 2010(b) for KUSF Operating Year 17, Fiscal Year March 2013-February 2014 <i>Order Adopting Audit Report and Closing Docket</i>	15-VERZ-043-KSF	
4	In the Matter of the Audit of Topeka Cellular Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2013 Supp. 2010(b) for KUSF Operating Year 17, Fiscal Year March 2013-February 2014 <i>Order Adopting Audit Report and Closing Docket</i>	15-TCTZ-044-KSF	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	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. <b>Order Approving Traffic Factors for Verizon Wireless</b>	15-GIMT-073-GIT	
6	In the matter of a Settlement Agreement between Raven Resources LLC and the Staff of the Kansas Corporation Commission. <b>Settlement Agreement - Raven Resources LLC</b>	15-CONS-818-CMSC	
7	In the matter of the failure of Chesapeake Operating, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Howell #1-26 in Hamilton County, Kansas. <b>Penalty Order - Chesapeake Operating, LLC</b>	15-CONS-819-CPEN	
8	In the matter of the failure of EnergyPro, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Warren C. Lynn #1-29 in Stanton County, Kansas. <b>Penalty Order - EnergyPro, Inc.</b>	15-CONS-820-CPEN	
9	In the matter of the failure of Marlin Oil Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Harrell #2-5 and Betty Lemert #3-22 wells in Seward County, Kansas. <b>Penalty Order - Marlin Oil Corporation</b>	15-CONS-821-CPEN	
10	In the matter of the failure of L.D. Drilling, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Stenzel Partnership #1-20 in Ness County, Kansas. <b>Penalty Order - L.D. Drilling, Inc.</b>	15-CONS-822-CPEN	
11	In the Matter of the Application of Grand Mesa Operating Company, to authorize the injection of saltwater into the Squirrel Sand Zone at the Vesecky #1-9I, Vesecky #1-6I, Vesecky #3-7I and Vesecky #3-4I wells located in 23, Township 14 South, Range 20 East, Douglas County, Kansas. <b>Order Designating Prehearing Officer &amp; Setting Prehearing Conference</b>	15-CONS-815-CUIC	
12	In the matter of the application of Jason A. Bruns for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Ancel 3 well located in the NW Section/4 of section 5 33S 1 East Sumner County, Wellington, Kansas. <b>Order Granting Application</b>	15-CONS-635-CEXC	
13	In the Matter of the Investigation of PALCO-KS. Inc. 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. <b>Penalty Order</b>	15-TRAM-467-PEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of Quality Septic & Sewer, Inc. 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. <i>Penalty Order</i>	15-TRAM-481-PEN	
15	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. <i>Order Approving Correction to WHM-15 Tariff Schedule</i>	06-SEPE-1203-CON	

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

For the Commission :

*Absent*

Shari Feist Albrecht, Chair

*Jay Scott Emler*

Jay Scott Emler, Commissioner

*Pat Apple*

Pat Apple, Commissioner

Attest:

*Amy Gilbert*

Amy Gilbert  
Secretary