

**Kansas Corporation Commission**  
**Commission Meeting**  
**May 21, 2015**  
10:00 a.m. 1<sup>st</sup> floor hearing room  
1500 SW Arrowhead, Topeka, Kansas

**MINUTES**

The May 21, 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.

Chair Albrecht, Commissioner Emler and Commissioner Apple were present.

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 May 21, 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. 13-HHIW-460-GIV, In the Matter of the Investigation of Howison Heights Inc.'s Ability to Provide Sufficient and Efficient Service.**

Commissioner Emler moved for approval of order #15-1621 - Order Denying Petition for Reconsideration. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

- B. **Docket No. 15-GIMT-073-GIT, 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.**

Commissioner Apple moved for approval of order #15-1614 - Order Eliminating KUSF Local Service Per Line Rates. Commissioner Emler seconded the motion. Commissioner Albrecht concurred. Motion was approved.

- C. **Docket No. 09-WSEE-737-TAR, In the Matter of Westar Energy, Inc. and Kansas Gas and Electric Company (KGE) d/b/a Westar Energy Seeking Commission Approval to Revise its Environmental Cost Recovery (ECRR) Tariff.**

Commissioner Emler moved for approval of order #15-1616 - Order Approving Revisions to Westar's Environmental Cost Recovery (ECRR) Tariff. Commissioner Apple seconded the motion. Commissioner Albrecht concurred. Motion was approved.

3. Other matters:

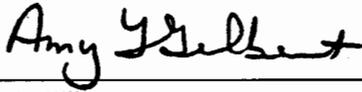
- A. Chair Albrecht moved to meet in Executive Session for Personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved for a period of 45 minutes. Also called into Executive Session was Director of Human Resources, Danelle Harsin. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 10:07 a.m. and reconvened in public session at 10:52 a.m.

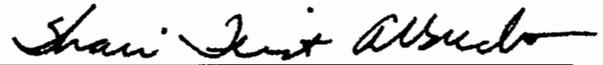
The Commission took no action in Executive Session.

There being no further matters before the Commission, Commissioner Apple moved for adjournment of the Commission meeting, Commissioner Emler seconded the Motion. Commissioner Albrecht concurred. The Motion was granted, the Commission adjourned the May 21, 2015 Commission Meeting at 10:53 a.m.

Respectfully submitted,



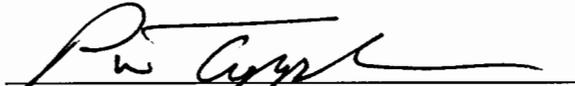
Amy L. Gilbert  
Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, May 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 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.<br><i>Order Approving Traffic Factor Update for T-Mobile Central LLC</i>   | 15-GIMT-073-GIT |         |
| 2        | In the Matter of the Application for Approval of a Commercial Mobile Radio Services (CMRS) Interconnection Agreement By and Between United Telephone Company of Southcentral Kansas d/b/a CenturyLink And New Cingular Wireless PCS, LLC Pursuant to The Telecommunications Act of 1996<br><i>Order Approving Interconnection Agreement</i>  | 15-USCT-456-IAT |         |
| 3        | In the Matter of the Complaint Against Texas-Kansas Oklahoma Gas, LLC for an Order for Adjustment and Refund of Unfair, Unreasonable and Unjust Rates for the Sale of the Natural Gas for Irrigation Based on Inaccurate and/or False Pressure Base Measurements, By Circle H Farms, LLC, Richard L. Hanson, Rome Farms, and Stegman Farms Partnership.<br><i>Discovery Order and Protective Order</i> | 15-TKOG-236-COM |         |

## Consent Agenda

| ITEM NO. | DESCRIPTION  | DOCKET NUMBER    | REMOVED |
|----------|--|------------------|---------|
| 4        | In the Matter of a General Investigation Regarding the Acceleration of Replacement of Natural Gas Pipelines Constructed of Obsolete Materials Considered to be a Safety Risk.<br><b>Order Modifying Procedural Schedule</b>  | 15-GIMG-343-GIG  |         |
| 5        | In the Matter of the Complaint Against Westar Energy by Les Blevins<br><b>Order Dismissing Formal Complaint and Adopting Staff's Memorandum</b>  | 15-WSEE-485-COM  |         |
| 6        | In the Matter of the Application of Wheatland Electric Cooperative, Inc., Seeking Commission Approval of its Property Tax Surcharge.<br><b>Order on Ad Valorem Tax Surcharge</b>   | 15-WHLE-504-TAR  |         |
| 7        | In the Matter of the Complaint Against Westar by Cathy J. Pechin.<br><b>Order Adopting Staff's Memorandum</b>  | 15-WSEE-509-COM  |         |
| 8        | In the Matter of the Complaint Against Kansas City Power & Light by Sandi Burgess<br><b>Order Adopting Staff's Memorandum</b>  | 15-KCPE-515-COM  |         |
| 9        | In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Debt Service Coverage Formula Based Ratemaking Plan Approved in Docket No.13-MKEE-452-MIS.<br><b>Order Setting Procedural Schedule</b>  | 15-SPEE-519-RTS  |         |
| 10       | In the matter of the Application of American Warrior, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Ryersee 1-33 well located in the NE/4 of Section 33, Township 18 South, Range 21 West, Ness County, Kansas.<br><b>Order Granting Application</b>   | 15-CONS-814-CEXC |         |
| 11       | 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 Laverne #4 well located in the SE SW of Sec 18, T29S, R32W, Haskell County, Kansas.<br><b>Order Granting Application</b>  | 15-CONS-817-CEXC |         |
| 12       | 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 15-24S-36W (SE/4), Section 14-24S-36W (SW/4), Section 23-24S-36W (NW/4), Section 22-24S-36W (NE/4) in Kearny County, Kansas (ATU 33)<br><b>Order Granting Application</b> | 15-CONS-309-CUNI |         |
| 13       | In the matter of a violation of K.A.R. 82-3-120 at the Fitzpatrick Jr. #1 well in Rice County, Kansas.<br><b>Penalty Order - Dennis Fitzpatrick Rev. Trust</b>   | 15-CONS-844-CPEN |         |
| 14       | In the matter of a violation of K.A.R. 82-3-120 at the Pound #1 well in Seward County, Kansas.<br><b>Penalty Order - Travis H. Davis, Gas Account</b>  | 15-CONS-846-CPEN |         |

**Consent Agenda**

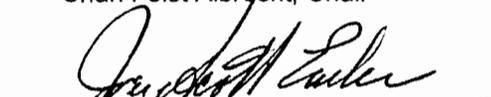
| ITEM NO. | DESCRIPTION   | DOCKET NUMBER    | REMOVED |
|----------|---|------------------|---------|
| 15       | In the matter of the failure of Nash Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the CRC #1, CRC #2 and Staab #1 wells in Pratt County, Kansas.<br><i>Penalty Order - Nash Oil &amp; Gas, Inc.</i>   | 15-CONS-860-CPEN |         |
| 16       | In the Matter of United Telephone Companies of Kansas d/b/a CenturyLink Filing Tariff Revisions to Increases Rates for Non-Listed and Non-Published Directory Listings Services, Late Payment, Directory Assistance and Convenience Fee.<br><i>Order Approving Tariff Revisions</i> | 15-UTDT-525-TAR  |         |

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

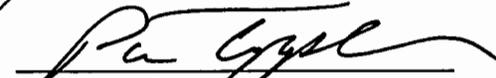
For the Commission:



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Amy L. Gilbert  
Secretary