

**Kansas Corporation Commission**  
**Commission Meeting**  
**June 4, 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 June 4, 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 Emler moved for approval of the Consent Agenda: All other listed matters as presented for June 4, 2015 on the 5 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-MRGT-097-AUD, In the Matter of the Application of Moundridge Telephone Company, Inc. for Additional Kansas Universal Service Fund Support**

Commissioner Apple moved for approval of order #15-1799 - *Order Denying Petition for Reconsideration; Denying Motion to Increase KUSF Support; and Denying Motion for Stay*. Commissioner Albrecht concurred. Commissioner Emler recused himself. Motion was approved.

3. **Discussion/Presentation Item(s):**

KTRAN Sub-Project II

Presenter: MIKE HOEME

Commissioner Apple moved approval for the project to move forward with Sub-Project II. Commissioner Emler seconded the Motion. Commissioner Albrecht concurred. Motion was approved.

4. **Other matters:**

- A. Chair Albrecht moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA Personnel KSA 75-4319(b)(2), for consultation with an attorney, to obtain legal advice in anticipation for litigation for a period of 30 minutes. Also called into executive session was Chief of Litigation Counsel, Amber Smith and Human Resource Director, Danelle Harsin. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 10:09 a.m. and reconvened in public session at 10:39 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 20 minutes. Also called into executive session was Human Resource Director, Danelle Harsin and Assistant General Counsel, Dustin Kirk. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:41 a.m. and reconvened in public session at 11:01 a.m.

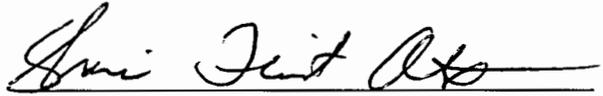
**The Commission took no action following this Executive Session.**

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 the June 4, 2015 Commission Meeting at 11:01 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, June 4, 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. <i>Order Approving Traffic Factors and Traffic Study Methodology Matrix</i>	15-GIMT-073-GIT	
2	In the Matter of a General Investigation into the Adjustment of Intrastate Switched Access Charges Pursuant to the Federal Communications Commission's Reforms, Effective July 1, 2015. <i>Order Approving CenturyLink's Revised Intrastate Switched Terminating End-Office Rates and Access Tariff</i>	15-GIMT-436-GIT	
3	In the Matter of the Audit of Twin Valley Telephone, 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 GVNW Consulting, Inc.'s Audit Report and Recommendations</i>	15-TWVC-055-KSF	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of Staff's Petition to Open a General Investigation to Write-Off the Delinquent Balance on BroadvoxGo!, LLC's Kansas Universal Service Fund (KUSF) Account, KS 005852, and Close the Company's Account. <i>Order Authorizing GVNW to Write-Off BroadvoxGo!, LLC's Delinquent KUSF Balance and Close Account</i>	15-GIMT-557-KSF	
5	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Clear World Communications Corporation <i>Order Cancelling Certificate</i>	15-CLWC-471-CCS	
6	In the Matter of the Application of Midwest Energy, Inc. for Permission to Cease Operating as an Electric Public Utility in Portions of Section 33, Township 14 South, Range 11 West in Russell County, Kansas <i>Order</i>	15-MDWE-434-CCS	
7	In the Matter of the Application of Westar Energy, Inc. to Cease Transacting the Business of an Electric Public Utility, Specifically in Portions of Section 23, Township 14 East, Range 15 East, in Osage County; Kansas <i>Order</i>	15-WSEE-503-CCS	
8	In the Matter of the Application of Rolling Hills Electric Cooperative, Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. <i>Certificate</i>	15-RHCE-510-COC	
9	In the Matter of Midwest Energy, Inc. Submitting Its 2015 Annual Transmission Revenue Requirement Associated With Its Transmission Formula Rate <i>Suspension Order</i>	15-MDWE-535-TFR	
10	In the Matter of the Application of Kaw Valley Electric Cooperative for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the SW ¼ of NW ¼ of Section 23, Township 14 South, Range 15 East in Osage County, Kansas <i>Certificate</i>	15-KWVE-536-COC	
11	In the Matter of Jayhawk Pipeline Filing for Approval of Tariff Rates Implementing Increased Rates Based on the FERC Indexing Methodology. <i>Suspension Order</i>	15-JYHP-563-TAR	
12	In the Matter of Kaw Pipe Line Filing for Approval of Tariff Rates Implementing Increased Rates Based on the FERC Indexing Methodology. <i>Suspension Order</i>	15-KAWP-564-TAR	

**Consent Agenda**

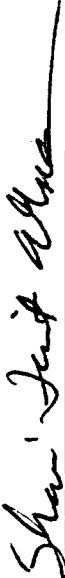
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Dave's Pumping Service, Inc. of Emporia, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	15-TRAM-542-PEN	
14	In the Matter of the Investigation of Tect Aerospace Wellington Inc., of Wellington, 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-547-PEN	
15	In the Matter of the Investigation of True North Outdoor, LLC 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. <b>Penalty Order</b>	15-TRAM-550-PEN	
16	In the Matter of the Investigation of Talent on Parade, LLC of Haysville, 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-551-PEN	
17	In the Matter of the Investigation of Delano P. Petty, d/b/a Thomas Sign Services of Manhattan, 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-552-PEN	
18	In the Matter of the Emergency Suspension of Operating Authority of Nomar International Food, Inc. of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Order Reinstating Motor Carrier Operating Authority</b>	15-TRAM-430-OOS	
19	In the Matter of the Emergency Suspension of Operating Authority of 1-800-Junkpro of Valley Center, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Order Reinstating Motor Carrier Operating Authority</b>	15-TRAM-431-OOS	
20	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. <b>Order Reinstating Motor Carrier Operating Authority</b>	15-TRAM-479-OOS	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	In the Matter of the Emergency Suspension of Operating Authority of Susana L. Navarette of Wichita, 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-555-OOS	
22	In the Matter of the Emergency Suspension of Operating Authority of Fredy Suy, d/b/a Suy Brothers of Kansas City, 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-556-OOS	
23	In the Matter of the Emergency Suspension of Operating Authority of Aaron Sears, d/b/a Aaron's Custom Dozer Service of Sedan, 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-558-OOS	
24	In the Matter of the Application of Foundation Energy Management, LLC for an exception to K.A.R. §82-3-111(b) regarding limitation on Temporary Abandonment Status of Applicant's Markle 1-3 gas well in the Northeast Quarter of Section 3, Township 20 South, Range 9 West, Rice County, Kansas. <i>Order Granting Application</i>	15-CONS-839-CEXC	
25	In the matter of the failure of Osage Resources, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Osage #103 in Barber County, Kansas. <i>Order Rescinding Penalty</i>	15-CONS-838-CPEN	
26	In the matter of the failure of Brickley Enterprises, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Sluss #2-C in Butler County, Kansas. <i>Penalty Order - Brickley Enterprises, LLC</i>	15-CONS-936-CPEN	

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