

Kansas Corporation Commission
Commission Meeting
June 11, 2015
10:00 a.m. 1st 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 11, 2015 in the 1st 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 moved for approval of the Consent Agenda: All other listed matters as presented for June 11, 2015 on the 6 page 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. 15-WSEE-181-TAR, *In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of Energy Efficiency Programs.***

Commissioner Emler moved for approval of order #15-1854 - *Order Approving Stipulation and Agreement.* Commissioner Apple seconded the Motion. Commissioner Albrecht concurred. Motion was approved.

- B. **Docket No. 15-KCPE-116-RTS, *In the Matter of the Application of Kansas City Power & Light Company to Make Certain Changes in Its Charges for Electric Service.***

Commissioner Apple moved for approval of order #15-1866 - *Order Granting KCP&L's Motion to Strike Testimony of Climate Energy Project Witness Ashok Gupta.* Commissioner Emler seconded the Motion. Commissioner Albrecht concurred. Motion was approved.

- C. **Docket No. 15-CONS-640-CUIC, *In the Matter of the Application of Trimble & Maclaskey Oil LLC, to authorize the injection of saltwater into the Arbuckle Formation at the West Babinger #4 well, located in Section 26, Township 21 South, Range 10 East, Lyon County, Kansas.***

Commissioner Emler moved for approval of order #15-1835 - *Order Denying Motion for Continuance.* Commissioner Apple seconded the Motion. Commissioner Albrecht concurred. Motion was approved.

- D. **Docket No. 15-WSEE-115-RTS, *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.***

Commissioner Apple moved for approval of order #15-1830 - *Order Denying Petition to Intervene of the Alliance for Solar Choice*. Commissioner Emler seconded the Motion. Commissioner Albrecht concurred. Motion was approved.

- E. **Docket No. 15-WSEE-365-MIS, *In the Matter of the Application of Westar Energy, Inc. for a Siting Permit for the Construction of a 345 kV Transmission Line in Riley and Pottawatomie Counties, Kansas.***

Commissioner Emler moved for approval of order #15-1858 - *Order Approving 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 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 Human Resource Director, Danelle Harsin, Director of Fiscal, Neysa Thomas and Secretary to the Commission, Amy Gilbert. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:10 a.m. and reconvened in public session at 10:40 a.m.

The Commission took no action following this Executive Session.

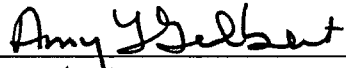
- B. Chair Albrecht moved to meet in Executive Session for discussion of matters related to security matters or measures, pursuant to KSA 75-4319(b)(13), for a period of 15 minutes. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:42 a.m. and reconvened in public session at 10:57 a.m.

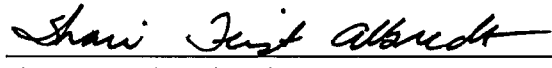
The Commission took no action following this Executive Session

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 11, 2015 Commission Meeting at 10:59 a.m.

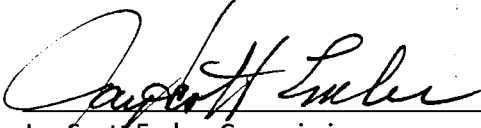
Respectfully submitted,



Amy L. Gilbert
Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, June 11, 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 USCOC Nebraska/Kansas, 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 GVNW Consulting, Inc.'s Audit Report and Recommendations</i>	15-USCZ-046-KSF	
2	In the Matter of the Audit of Kansas #15 Limited Partnership 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-ORIZ-047-KSF	
3	In the Matter of the Audit of NE Colorado Cellular, Inc. d/b/a Viaero Wireless 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 Granting Motion for Extension of Time For KUSF to File Audit Report</i>	15-NECZ-051-KSF	
4	In the Matter of a General Investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with K.S.A. 2013 Supp. 66-2005(c) and FCC Reforms. <i>Order Approving Revised Intrastate Access Tariffs for Columbus, LaHarpe, and Blue Valley</i>	15-GIMT-068-GIT	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application for a Certificate of Convenience and Authority to Transact Business of an Interexchange Services Provider on Behalf of LDC Group, LLC <i>Order Granting Withdrawal Without Prejudice</i>	15-LDGC-326-COC	
6	Application for Approval of a Commercial Mobile Radio Services (CMRS) Interconnection Agreement By and Between United Telephone Company of Kansas d/b/a CenturyLink and New Cingular Wireless PCS, LLC Pursuant toTheTelecommunications Act of 1996 <i>Order Approving Interconnection Agreement</i>	15-UTDT-457-IAT	
7	In the Matter of the Application of Westar Energy, Inc. to Cease Transacting the Business of an Electric Public Utility, Specifically in a Portion of Section 4, Township 10 South, Range 17 East, In Jefferson County, Kansas <i>Order</i>	15-WSEE-304-CCS	
8	In the Matter of the Application of DS&O Electric Cooperative, Inc., for Permission to Cease Operating as a(n) Electric Utility in the State of Kansas. <i>Order</i>	15-DSOE-554-CCS	
9	In the Matter of the Application of Westar Energy, Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in a Portion of Section 29, Township 14 South, Range 2 West, in Saline County, Kansas <i>Certificate</i>	15-WSEE-397-COC	
10	In the Matter of the Application of Westar Energy, Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in Portions of Section 32, Township 12 South, Range 19 East, Douglas County, KS <i>Certificate</i>	15-WSEE-462-COC	
11	In the Matter of the Application of Leavenworth Jefferson Electric Cooperative for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the NW 1/4 of NW 1/4 of NW 1/4 and S 1/2 of N 1/2 of NW 1/4 Section 04, Township 10 South, Range 17 East In Jefferson County, Kansas <i>Certificate</i>	15-LVJE-559-COC	
12	In the Matter of the Complaint Against Westar Energy by Sharkey Scott <i>Order Adopting Staff's Memorandum</i>	15-WSEE-543-COM	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Application of Atmos Energy for a Certificate of Public Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the Northwest Quarter (NW/4) and that part of the East Half (E/2) of Section 6, Township 13 South, Range 19 East that is West of the Centerline of the K-10 Bypass and the East Half (E/2) of the Southeast Quarter (SE/4) of Section 5, Township 13 South, Range 20 East, in Douglas County, Kansas. <i>Certificate</i>	15-ATMG-444-COC	
14	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for Authority to Cease Transacting the Business of a Natural Gas Public Utility in the Northwest Quarter (NW/4) and that part of the East Half (E/2) of Section 6, Township 13 South, Range 19 East that is West of the Centerline of the K-10 Bypass and the East Half (E/2) of the Southeast Quarter (SE/4) of Section 5, Township 13 South, Range 20 East, in Douglas County, Kansas <i>Order</i>	15-BHCG-445-CCS	
15	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for a Certificate of Public Convenience and Authority to Transact the Business of a Natural Gas Public Utility in Certain Portions of Douglas County, Kansas. <i>Certificate</i>	15-BHCG-446-COC	
16	In the Matter of the Application of Atmos Energy, for Authority to Cease Transacting the Business of a Natural Gas Public Utility in Certain Portions of Douglas County, Kansas. <i>Order</i>	15-ATMG-449-CCS	
17	In the Matter of NuStar Pipeline Operating Partnership, L.P. Filing Tariff Revisions to Increase Rates and Minor Word Changing to Reflect an Updated Website Address. <i>Suspension Order</i>	15-KNBP-560-TAR	
18	In the Matter of Plains Pipeline, L.P.'s Application for Approval, Pursuant to K.A.R. 82-10-2, of Tariffs K.C.C. No. 3.4.0, K.C.C. No. 4.6.0 and K.C.C. No. 5.9.0 <i>Suspension Order</i>	15-PPLP-565-TAR	
19	In the Matter of ONEOK North System, L.L.C. Filing K.C.C. No. 4.6, Implementing an Overall Rate Increase Utilizing the FERC Indexing Methodology <i>Suspension Order</i>	15-ONSP-566-TAR	
20	In the Matter of the Investigation of Superior Disposal Service, Inc. of Gardner, 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>Order Approving Stipulated Settlement Agreement</i>	15-TRAM-514-PEN	

Consent Agenda

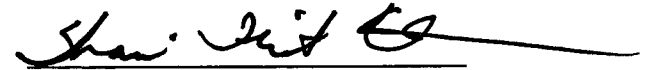
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	In the Matter of the Investigation of Rick Standlee, d/b/a Standlee Truckline of Ellinwood, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Penalty Order	15-TRAM-569-PEN	
22	In the Matter of the Investigation of C & G Drilling, Inc. of Eureka, 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. Penalty Order	15-TRAM-574-PEN	
23	In the Matter of the Investigation of Dan's Dirt Works, LLC of Bogue, 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. Penalty Order	15-TRAM-575-PEN	
24	In the Matter of the Emergency Suspension of Operating Authority of Chris Buettell, d/b/a CLC Services of Overland Park, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	15-TRAM-386-OOS	
25	In the Matter of the Emergency Suspension of Operating Authority of Justin's Appliance, LLC of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	15-TRAM-568-OOS	
26	In the Matter of the Emergency Suspension of Operating Authority of J & T Electric, LLC of Liberal, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	15-TRAM-578-OOS	
27	In the Matter of the Emergency Suspension of Operating Authority of Pioneer Excavating, LLC of Douglass, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	15-TRAM-579-OOS	
28	In the matter of the failure of Standard Operating Company ("Operator") to comply with K.A.R. 82-3-407 at the Eaton #1, Gill B #1 and James C #2 in Lane County, Kansas. Order Approving Settlement Agreement	15-CONS-639-CPEN	
29	In the matter of the failure of John Douglas Pitman Revocable Trust ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the D.H. Martin #32 and A.D. Berry #B-4 in Montgomery County, Kansas. Order Approving Settlement Agreement	15-CONS-805-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
30	In the matter of the failure of Red Cloud Exploration Operating LLC ("Operator") to comply with K.A.R. 82-3-111 at the Sturgeon #1 W, Sturgeon #STU-3A, Sturgeon #STU-7A, Sturgeon #STU-2A, Sturgeon #11, Sturgeon KCDA #1 and Sturgeon #HEMI 1 wells in Montgomery County, Kansas. <i>Penalty Order - Red Cloud Exploration Operating LLC</i>	15-CONS-937-CPEN	
31	In the matter of an agreed compliance schedule for Joe Brake to plug the wells on the Korte Lease in Butler County, Kansas <i>Order Designating Prehearing Officer & Setting Prehearing Conference</i>	15-CONS-173-CMSC	
32	In the Matter of the Application of Triple T Oil, LLC, for a permit to authorize the injection of saltwater into the Squirrel Formation at the Alice Kuhn Lease I-1, I-2, I-3, and I-4, located in Section 19, Township 16 South, Range 24 East, Miami County, Kansas. <i>Order Designating Prehearing Officer & Setting Prehearing Conference</i>	15-CONS-938-CUIC	

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