

Kansas Corporation Commission
Commission Meeting
June 30, 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 30, 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 Emler moved for approval of the Consent Agenda: All other listed matters as presented for June 30, 2015 on the 4 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. Commissioner Albrecht added an additional item to the agenda: the Commission Business Meeting calendar for FY 2016. Commissioner Apple moved for approval of the Business Meeting Calendar. Commissioner Emler seconded. Commissioner Albrecht concurred.

3. **Noticed:**

- A. **Docket No. 15-CONS-517-CPEN, *In the matter of the failure of Lost Creek Oil, Inc. ("Operator") to report activity that occurred during the 2013 calendar year in compliance with K.A.R. 82-3-409.***

Commissioner Emler moved for approval of order #15-2135 – *Shut-In Order Application*. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

4. **Other matters: Discussion/Presentation Items:**

- A. **Proposed Adoption of Permanent Regulation K.A.R. 82-4-3a**

Presenter: MICHAEL DUENES

Staff requested the Commission approve regulations as presented.

Roll Call Vote:

Chair Shari Albrecht Aye

Commissioner Jay Scott Emler Aye

B. FERC Docket No. EL14-93: Discussion and Recommendation for Commission Action

Presenter: ANDREW FRENCH

On August 20, 2014 the Kansas Corporation Commission filed a complaint with the Federal Energy Regulatory Commission (FERC) against Westar alleging unjust and unreasonable collection of transmission rates. Commission staff has presented a draft settlement agreement in regards to the complaint. Per FERC procedure, settlement negotiations by our attorneys representing the KCC are confidential until the settlement agreement is filed by Westar with FERC. Once filed, the agreement becomes a public document and we will be able to make the agreement available.

Therefore, I move the Commission authorize the Chair of the Commission, Chair Albrecht, to sign the settlement agreement on behalf of the Commission in FERC Docket No. EL14-93.

Commissioner Emler moved for approval of the settlement order. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

5. Other matters:

- A. Chair Albrecht moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319(b)(2) for consultation with an attorney, to obtain legal advice in anticipation for litigation, to obtain legal advice for a period of 15 minutes. Also called into Executive Session was Litigation counsel Andrew French and Sam Feather. Commissioner Emler seconded the motion. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:07 a.m. and reconvened in public session at 10:22 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 45 minutes. Also called into Executive Session was Human Resources Director Danelle Harsin and Fiscal Director Neysa Thomas. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 10:24 a.m. and reconvened in public session at 11:09 a.m.

The Commission took no action following this Executive Session.

- C. 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 Resources Director Danelle Harsin and Fiscal Director Neysa Thomas. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

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

The Commission took no action following this 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 June 30, 2015 Commission Meeting at 11:42 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 Kansas Corporation Commission, by roll call vote of the required majority of Commissioners, adopted the following regulation as a permanent regulation on the 30th day of June, 2015.

K.A.R. 82-4-3a

This regulation is hereby filed for adoption, and the Economic Impact Statement is enclosed.

Roll Call Vote:

<u>Person</u>	<u>KCC Position</u>	<u>Vote</u>
Shari Feist Albrecht	Chair	<u>aye</u>
Jay Emler	Commissioner	<u>aye</u>
Pat Apple	Commissioner	<u>aye</u>

Amy Gilbert
Amy L. Gilbert
Secretary

June 30, 2015
Date



ITEMS OF Consent Agenda

Approval Date: Tuesday, June 30, 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 Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Globalinx Enterprises, Inc. <i>Order Cancelling Certificate</i>	15-TMCC-482-CCS	
2	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 13, Township 15 South, Range 23 East, In Johnson County, Kansas <i>Order Granting Waiver of Deadline</i>	15-WSEE-305-CCS	
3	In the Matter of the Application of Westar Energy, Inc. for Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in a Portion of Section 25, Township 11 South, Range 23 East, in Wyandotte County, Kansas <i>Order Granting Waiver of Deadline</i>	15-WSEE-306-COC	
4	In the Matter of the Application of Kansas City Power & Light Company for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility, in Portion of Lots 200-212, 216, 217 and 238-256 in Woodland Ridge Subdivision of the City of Spring Hill, Johnson County, Kansas <i>Order Granting Waiver of Deadline</i>	15-KCPE-308-COC	

Consent Agenda

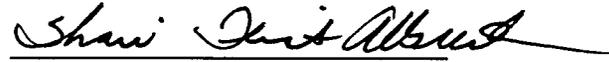
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Kansas City Power & Light Company to Cease Transacting the Business of an Electric Public Utility in a Portion of 229-236, 263, 264, 376-383, 415 and 416 in Woodland Ridge a Subdivision of Spring Hill in Johnson County Kansas Order Granting Waiver of Deadline	15-KCPE-309-CCS	
6	In the matter of the failure of John Maddox dba Mad Dog Oil Co. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - John Maddox dba Mad Dog Oil Co.	15-CONS-958-CPEN	
7	In the Matter of the Application of Kansas City Power & Light Company to Cease Transacting the Business of an Electric Public Utility in a Portion of Section 25, Township 11 South, Range 23 East, in Wyandotte County, Kansas Order Granting Waiver of Deadline	15-KCPE-310-CCS	
8	In the matter of the failure of K3 Oil & Gas Operating Company ("Operator") to comply with K.A.R. 82-3-608 at the Lamar Fullmer #13-10 and Larry Evans #6-2 wells in Gove County, Kansas. Penalty Order - K3 Oil & Gas Operating Company	15-CONS-963-CPEN	
9	In the Matter of the Emergency Suspension of Operating Authority of R & R Trucking, Inc. of Wichita, Kansas, for Failure to Comp With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	15-TRAM-493-OOS	
10	In the matter of the failure of Circle Star Operating Corp ("Operator") to comply with K.A.R. 82-3-602 at the Lynd Family Trust #13 well in Trego County, Kansas. Penalty Order - Circle Star Operating Corp	15-CONS-960-CPEN	
11	In the matter of the failure of Vast Petroleum Corporation ("Operator") to comply with K.A.R. 82-3-608 at the Carter #V23 well in Miami County, Kansas. Penalty Order - Vast Petroleum Corporation	15-CONS-966-CPEN	
12	In the Matter of a General Investigation of Net One International, Inc. to Show Cause Why This Commission Should Not Initiate Sanctions and Fines and Cancel, Suspend and Revoke Any Authority the Carrier Currently Holds Order Revoking Certificate	15-NOIC-468-SHO	
13	In the matter of the failure of Phillips 66 Pipeline, LLC ("Operator") to comply with K.A.R. 82-3-608 at the PP04 MP3 #1 well in Sedgwick County, Kansas. Penalty Order - Phillips 66 Pipeline, LLC	15-CONS-967-CPEN	
14	In the matter of the failure of Castle Resources, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Hachmeister Unit #1 well i Russell County, Kansas. Penalty Order - Castle Resources, Inc.	15-CONS-959-CPEN	
15	In the matter of the failure of Tim Splechter ("Operator") to comply with K.A.R. 82-3-608 at the Grisier #10-14 well in Woodson County, Kansas. Penalty Order - Tim Splechter	15-CONS-965-CPEN	

Consent Agenda

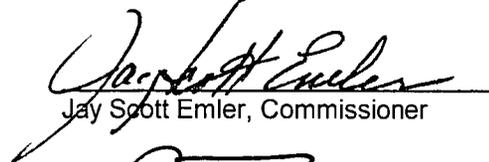
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the matter of the failure of Ritchie Exploration, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Mendenhall 7C #1, Evans 30B #1 and York 30C #1 wells in Gove County, Kansas. <i>Penalty Order - Ritchie Exploration, Inc.</i>	15-CONS-961-CPEN	
17	In the matter of the failure of S & K Oil Production, Inc. ("Operator") to comply with K.A.R. 82-3-608 at the Page #36 well in Bourbon County, Kansas. <i>Penalty Order - S & K Oil Production, Inc.</i>	15-CONS-964-CPEN	
18	In the Matter of the Application of Westar Energy, Inc. for Certificate of Convenience and Authority to Transact the Business of an Electric Public utility Specifically in a Portion of Section 13, Township 15 South, Range 23 East, in Johnson County, Kansas <i>Order Granting Waiver of Deadline</i>	15-WSEE-307-COC	
19	In the matter of the failure of Vast Petroleum Corporation ("Operator") to comply with K.A.R. 82-3-602 at the Carter #V23 well in Miami County, Kansas. <i>Penalty Order - Vast Petroleum Corporation</i>	15-CONS-962-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