

Kansas Corporation Commission
Commission Meeting
July 7, 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 July 7, 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 to remove from the Consent Agenda Item No. 6, the order pertaining to docket number 15-ITCE-561-COM and for approval of the revised Consent Agenda: All other listed matters as presented for July 7, 2015 on the 3 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. **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 Chief Litigation counsel Amber Smith. Commissioner Emler seconded the motion. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:03 a.m. and reconvened in public session at 10:18 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 30 minutes. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:19 a.m. and reconvened in public session at 10:49 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. Commissioner Apple seconded. Commissioner Emler concurred. Motion was approved.

The Commission moved into Executive Session at 10:50 a.m. and reconvened in public session at 11:20 a.m.

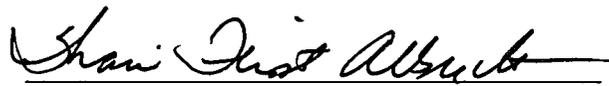
The Commission took no action following this Executive Session.

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 July 7, 2015 Commission Meeting at 11:22 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: Tuesday, July 7, 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

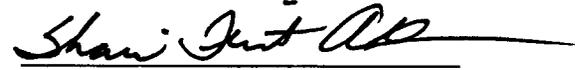
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the matter of the failure of XOG Operating, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Kisner - A #1 in Finney Cour Kansas. <i>Penalty Order - XOG Operating, Inc.</i>	16-CONS-001-CPEN	
2	In the Matter of the Emergency Suspension of Operating 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. <i>Order Reinstating Motor Carrier Operating Authority</i>	15-TRAM-579-OOS	
3	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Higgins #2 in Butler County, Kansas. <i>Penalty Order - Benjamin M. Giles</i>	16-CONS-002-CPEN	
4	In the Matter of an Investigation to Determine the Assessment Rate for the Eighteenth Year of the Kansas Universal Service Fund Effective March 1, 2014. <i>Order Accepting GVNW's Audit Selections</i>	14-GIMT-105-GIT	

Consent Agenda

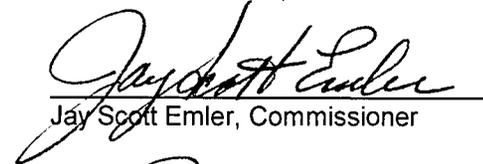
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of an Investigation to Determine the Assessment Rate for the Eighteenth Year of the Kansas Universal Service Fund Effective March 1, 2014. <i>Order on Affidavits Submitted by NE Colorado Cellular, Inc. d/b/a Viaero Wireless</i>	14-GIMT-105-GIT	
6	In the Matter of the Complaint Against ITC Great Plains LLC and Mid Kansas Electric Co. LLC by James Leiszler <i>Order Adopting Litigation Staff's Memorandum</i>	15-ITCE-561-COM	✓
7	In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501 to 66-1510. <i>Order Assessing Commission Costs Pursuant to K.S.A. 66-1503</i>	16-ALLX-002-ASM	
8	In the Matter of the Investigation of Carlos E. Ramon-Barzola, d/b/a CRT of Garden 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. <i>Order Approving Stipulated Settlement Agreement</i>	15-TRAM-496-PEN	
9	In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501 to 66-1510 <i>Order Assessing CURB Costs Pursuant to K.S.A. 66-1503</i>	16-ALLB-001-ASM	

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

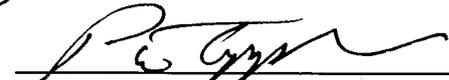
For the Commission :



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:


Amy L. Gilbert
Secretary