

Kansas Corporation Commission
Commission Meeting
August 6, 2015
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 SW Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on August 6, 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 August 6, 2015 on the 5 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, in anticipation of litigation, to obtain legal advice for a period of 30 minutes. Also called into the Executive Session was Litigation Counsel, Andrew French and Sam Feather Director of Utilities, Jeff McClanahan and Staff, Justin Grady. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:02 a.m. and reconvened in public session at 10:32 a.m.

The Commission took the following action following the Executive Session:

1. Commissioner Emler moved to authorize Staff to file an intervention and protest on behalf of the Kansas Corporation Commission in FERC Docket #ER 15-2237. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

2. Commissioner Emler moved to authorize the Chair to execute, on behalf of the Commission, a settlement agreement in consolidated FERC Dockets #ER09-548 and EC11-108. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

3. Commissioner Emler moved to authorize Staff to file an intervention and comment in ITC's Petition for Declaratory order regarding rates for competitively selected transmission projects in FERC Docket #EL15-86. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting, Commissioner Apple seconded the Motion, Commissioner Emler concurred. The Motion was approved, the Commission adjourned the August 6, 2015 Commission Meeting at 10:35 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, August 6, 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 Application of Westar Energy, Inc. and Kansas Gas and Electric Company to Make Certain Changes in Their Charges for Electric Service. <i>Order Denying Westar's Motion to File Out of Time and Denying Motion to Strike</i>	15-WSEE-115-RTS	
2	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. <i>Order Granting Westar's Motion to Strike Testimony of Climate and Energy Project Witness Ashok Gupta</i>	15-WSEE-115-RTS	
3	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>Order Approving Tariff Revisions</i>	15-PPLP-565-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	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>Order Approving Tariff Revisions</i>	15-ONSP-566-TAR	
5	In the Matter of Magellan Pipeline Company, L.P., Filing Tariff Revisions to Tariff K.C.C. No. 33 <i>Order Approving Tariff Revisions</i>	15-MGPP-581-TAR	
6	In the Matter of the Audit of MCI Communications Services, 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 Accepting and Adopting Compliance Report and Closing Docket</i>	15-MWCC-045-KSF	
7	In the Matter of the Application of Windstream Communications, Inc. to Changes Its Name to Windstream Communications, LLC on All Certificates Previously Granted <i>Order Approving Name Change</i>	15-AHCC-610-CCN	
8	In the Matter of the Application of Windstream KDL, Inc. to Changes Its Name to Windstream KDL, LLC on All Certificates Previously Granted <i>Order Approving Name Change</i>	15-KYDT-611-CCN	
9	In the Matter of the Application of Windstream Norlight, Inc. to Changes Its Name to Windstream Norlight LLC on All Certificates Previously Granted <i>Order Approving Name Change</i>	15-CNYC-612-CCN	
10	In the Matter of the Application of Windstream Nuvox Kansas, Inc. to Changes Its Name to Windstream Nuvox Kansas, LLC on All Certificates Previously Granted <i>Order Approving Name Change</i>	15-NVCC-614-CCN	
11	In the Matter of the Investigation of WW Drilling, LLC of Wakeeney, 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>Penalty Order</i>	16-TRAM-056-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
12	In the Matter of the Application of Agricultural Energy Services for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Mueller D 2-30 well located in the NW/4 Sec. 30-34S-34W, Seward County, Kansas. <i>Order Approving Settlement Agreement</i>	15-CONS-777-CEXC 15-CONS-778-CEXC 15-CONS-779-CEXC	
13	In the Matter of the Application of LANDMARK RESOURCES, INC. for an Order Granting an Exception to the Requirements of K.A.R. § 82-3-107 Relating to Decker #4-9 Well Drilled in Scott County, Kansas <i>Order Granting Application</i>	15-CONS-968-CEXC	
14	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 Spiers #2 OWWO well located in the NWNW of Sec 29, T10S, R32W Thomas County, Kansas <i>Order Granting Application</i>	15-CONS-935-CEXC	
15	In the Matter of the Application of SandRidge Exploration and Production , LLC for a Well Location Exception for the Wharton 3408 #1-3H34 well in Section 3, Township 34 South, Range 8 West, Harper County, Kansas <i>Order Granting Application</i>	15-CONS-944-CWLE	

Consent Agenda

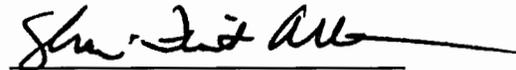
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	<p>In the Matter of the Application of Linn Operating, Inc. for an order providing for the unitization and unit operation of a part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit described as Section 14-29S-39W (SE/4), Section 13-29S-39W (SW/4), Section 24-29S-39W (NW/4), Section 23-29S-39W (NE/4) in Stanton County, Kansas (ATU 224)</p> <p><i>Order Dismissing Application</i></p>	<p>15-CONS-768-CUNI</p> <p>15-CONS-776-CUNI</p> <p>15-CONS-849-CUNI</p> <p>15-CONS-855-CUNI</p>	
17	<p>In the Matter of determining responsibility for the Cochran lease located in the N/2 of Section 14, Township 21 South, Range 20 East, Anderson County, Kansas.</p> <p><i>Abandoned Well Plugging Order - Cochran Lease</i></p>	16-CONS-148-CPLG	
18	<p>In the matter of the failure of Hummon Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Elizabeth #1-6 and Platt #1-29 wells in Barber County, Kansas.</p> <p><i>Order Designating Prehearing Officer and Setting Prehearing Conference</i></p>	15-CONS-940-CPEN	
19	<p>In the matter of the failure of Agricultural Energy Services ("Operator") to comply with K.A.R. 82-3-111 at the Clawson A #1-1 in Seward County, Kansas.</p> <p><i>Order Approving Settlement Agreement</i></p>	15-CONS-941-CPEN	
20	<p>In the matter of the failure of Triple Crown Operating LLC ("Operator") to comply with K.A.R. 82-3-407 at the Boyd MA SWD (M.A. Boyd) #1 SWD in Ness County, Kansas.</p> <p><i>Penalty Order - Triple Crown Operating LLC</i></p>	16-CONS-149-CPEN	

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ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	In the matter of the failure of Northstar Investments, Inc. ("Operator") to comply with K.A.R. 82-3-600 and K.A.R. 82-3-601a at the Wesseler #1 well in Rice County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	15-CONS-970-CPEN	
22	In the matter of the failure of Barracuda Operating Company ("Operator") to comply with K.A.R. 82-3-407 at the North A #1 in Ness County, Kansas. <i>Penalty Order - Barracuda Operating Company</i>	16-CONS-150-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