

Kansas Corporation Commission
Commission Meeting
October 13, 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 October 13, 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 October 13, 2015 on the 6 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. **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 Deputy General Counsel, Brian Fedotin and Director of Utilities, Jeff McClanahan. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:01 a.m. and reconvened in public session at 10:31 a.m.

The Commission took no action following the 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 approved, the Commission adjourned the October 13, 2015 Commission Meeting at 10:32 a.m.

Respectfully submitted,



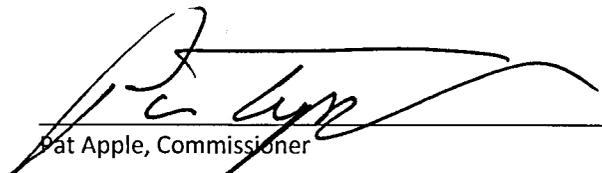
Amy L. Gilbert
Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner

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ITEMS OF Consent Agenda

Approval Date: Tuesday, October 13, 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 BCI Allegiance, LLC Filing for Kansas Video Service Authorization. <i>Order Amending Video Service Authorization</i>	13-BCAT-666-VSA	
2	In the Matter of the Application of Tri County Telephone Association, Inc. Filing Tariff Revisions Adding Voice Mail Enhanced and Voice Mail Deluxe Descriptions. <i>Order Approving Tariff Revisions</i>	16-TRCT-142-TAR	
3	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 KSA 66-1503</i>	16-ALLB-150-ASM	
4	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 KSA 66-1503</i>	16-ALLX-151-ASM	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Joint Application of Mid-Kansas and Southern Pioneer Company Requesting Approval of a Settlement Agreement Regarding "First Mile" Local Delivery Service Over Southern Pioneer's 34.5 Facilities. Order Granting Petition to Intervene of Kansas Municipal Energy Agency	15-MKEE-461-TAR	
6	In the Matter of the Complaint Against KCP&L by Stephen and Karen Gradwohl. Order Granting Extension of Time	15-KCPE-544-COM	
7	In the Matter of Westar Energy, Inc. and Kansas Gas and Electric Company Seeking Commission Approval for Tariff Revisions to the 2015 Energy Efficiency Rider. Order Designating Prehearing Officer	16-WSEE-021-TAR	
8	In the Matter of the Joint Application of Anadarko Natural Gas Company, LLC and Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for an Order Approving the Transfer to Black Hills of ANGC's Certificates of Convenience and Necessity with Respect to its Natural Gas Utility Business, Including its Transmission Facilities Located in and Around Hugoton, Kansas, Commonly Referred to as the West HRDS, to Provide Utility Service, to Approve Transportation Agreements Between Black Hills and Anadarko Energy Services Company and for Other Related Relief Order Designating Prehearing Officer	16-BHCG-144-ACQ	
9	In the Matter of the Joint Application of Anadarko Natural Gas Company, LLC and Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for an Order Approving the Transfer to Black Hills of ANGC's Certificates of Convenience and Necessity with Respect to its Natural Gas Utility Business, Including its Transmission Facilities Located in and Around Hugoton, Kansas, Commonly Referred to as the West HRDS, to Provide Utility Service, to Approve Transportation Agreements Between Black Hills and Anadarko Energy Services Company and for Other Related Relief Order Noticing 300-Day Statutory Deadline for Commission Order	16-BHCG-144-ACQ	
10	In the Matter of the Complaint Against Kansas Gas Service by Scott A. Wogomon Order Designating Prehearing Officer	16-KGSG-139-COM	
11	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for Approval of its Long Term Physical Gas Hedge Contract With Black Hills Utility Holdings, Inc. Order Granting CURB's Petition to Intervene Suspension Order Discovery Order and Protective Order	16-BHCG-171-TAR	
12	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	16-TRAM-118-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Emergency Suspension of Operating Authority of Blake Smith, d/b/a Smith and Sons Auto Sales and Smith and Sons Hauling of Merriam, 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>	16-TRAM-164-OOS	
14	In the Matter of the Emergency Suspension of Operating Authority of Fortunato Distributing, Inc., d/b/a FDI Logistics of DeSoto, 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>	16-TRAM-165-OOS	
15	In the Matter of the Emergency Suspension of Operating Authority of Billy Bennett, d/b/a Not Human Express 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>	16-TRAM-166-OOS	
16	In the Matter of the Emergency Suspension of Operating Authority of Classicconcrete Polish, Inc., of Overland Park, 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>	16-TRAM-167-OOS	
17	In the Matter of the Emergency Suspension of Operating Authority of Fibernet, Inc. of Lenexa, 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>	16-TRAM-173-OOS	
18	In the Matter of the Investigation of Brian F. Lovgren, d/b/a T R L Trucking 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. <i>Penalty Order</i>	16-TRAM-153-PEN	
19	In the Matter of the Investigation of Curtis James Masters, d/b/a JM Transport of Scott 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>Penalty Order</i>	16-TRAM-161-PEN	
20	In the Matter of the Investigation of Carlson Products LLC of Maize, 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-162-PEN	

Consent Agenda

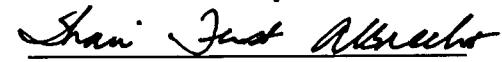
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	In the Matter of the Investigation of Shanholtzer Transportation, LLC of McCune, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Penalty Order	16-TRAM-169-PEN	
22	In the Matter of the Investigation of Bettis Contractors, Inc. of Topeka, 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	16-TRAM-172-PEN	
23	In the matter of the failure of Ginther Oil, Inc. ("Operator") to comply with K.A.R. 82-3-117 at the Ginther A #2 well in Ellis County, Kansas. Order Rescinding Penalty	16-CONS-544-CPEN	
24	In the matter of the failure of PetroSantander (USA) Inc. ("Operator") to comply with K.A.R. 82-3-111 at the SMU #3513 and Stevens (Morrow) Unit #SMU 3605 wells in Meade County, Kansas. Penalty Order - PetroSantander (USA) Inc.	16-CONS-567-CPEN	
25	In the matter of the failure of Arbuckle Energy Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Stuchilk #2 in Marion County, Kansas. Penalty Order - Arbuckle Energy Inc.	16-CONS-568-CPEN	
26	In the matter of the failure of Tontol, LLC ("Operator") to comply with K.A.R. 82-3-400 injection authority and/or K.A.R. 82-3-409 reporting requirements regarding injection that took place during the 2014 calendar year. Order Approving Settlement Agreement	16-CONS-087-CPEN	
27	In the matter of the failure of Quest Energy LLC ("Operator") to comply with K.A.R. 82-3-111 at the Irvin Trust #1 in Rush County, Kansas. Order Approving Settlement Agreement	16-CONS-154-CPEN	
28	In the matter of a settlement agreement between the Staff of the Kansas Corporation Commission and Castle Resources, Inc., regarding the plugging of two wells in Cowley County, Kansas. Settlement Agreement - Castle Resources, Inc.	16-CONS-570-CMSC	
29	In the matter of the failure of H & B Petroleum Corp. ("Operator") to comply with K.A.R. 82-3-409 reporting requirements regarding injection that took place during the 2014 calendar year. Order Approving Settlement Agreement	16-CONS-517-CSHO	

Consent Agenda

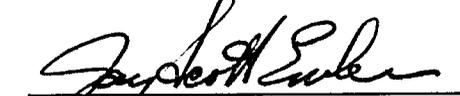
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
30	In the Matter of the Application of Merit Energy Company, LLC, for an order providing for the unitization and unit operation of the Griffin Cox Chester Unit in Haskell County, Kansas. Order Granting Intervention and Scheduling Status Conference	15-CONS-843-CUNI	
31	In the Matter of the Application of American Warrior, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Frease 1 well located in SE/4 of Section 23, Township 25 South, Range 39 West, Hamilton County, Kansas. Order Granting Application	16-CONS-033-CEXC	
32	In the matter of the Application of Venture Resources, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Pywell B#1 well located in the SW/4 NE/4 Sec. 35, Township 9 South, Range 20 West, Rooks County, Kansas Order Granting Application	16-CONS-116-CEXC	
33	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 Tom Sellens #13A well located in the NE SE SE of Sec 17, T15S, R13W Russell County, Kansas. Order Granting Application	16-CONS-152-CEXC	
34	In the matter of the Application of Edison Operating Company, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Vavroch #4 well located in the Center of the Northeast Quarter of the Northwest Quarter of Section 4, Township 4 South, Range 28 West, Decatur County, Kansas. Order Granting Application	16-CONS-157-CEXC	
35	In the matter of the Application of Murfin Drilling Company, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Colliver "A" #2 well located in the N/2 N/2 SE/4 of Section 28, Township 14 South, Range 13 West, Russell County, Kansas. Order Granting Application	16-CONS-540-CEXC	
36	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 Horace Fink #5 injection well located in the NE SE of Sec 16, T14S, R14W, Russell County, Kansas. Order Granting Application	16-CONS-503-CEXC	
37	In the matter of the failure of A & L Energy Operations LLC to comply with K.A.R. 82-3-603 at the Thoren Lease in Douglas County, Kansas. Penalty Order	16-CONS-566-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. Green
Secretary