

**Kansas Corporation Commission**  
**Commission Meeting**  
**November 24, 2015**  
10:00 a.m. 1<sup>st</sup> 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 November 24, 2015 in the 1<sup>st</sup> 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 November 24, 2015 on the 5 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: Discussion/Presentation Item**

- A. Agency Vehicle purchases

Presenter: Neysa Thomas

Commissioner Emler moved for approval of replacement of the vehicles presented by Director of Finance, Neysa Thomas. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.

- B. 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 20 minutes. Also called into the Executive Session was Deputy General Counsel, Sam Feather and Director of Utilities, Jeff McClanahan. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:04 a.m. and reconvened in public session at 10:24 a.m.

**The Commission took no action following the Executive Session.**

- C. 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 15 minutes. Also called into the Executive Session was Deputy General Counsel, Sam Feather and Staff, John

Bell. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:26 a.m. and reconvened in public session at 10:41 a.m.

**Commissioner Emler moved that the Commission direct Staff to prepare and file an appeal of the FERC's October 15, 2015 Order on Rehearing and Clarification re: Southwest Power Pool, Inc., under ER14-2850.**

- D. 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 10 minutes. Also called into the Executive Session was Assistant General Counsel, Dustin Kirk. 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 10:52 a.m.

**Commissioner Emler moved that the Commission authorize the Chair to terminate the contract with the Kansas State Fair. Commissioner Apple seconded. Commissioner Albrecht concurred. Motion was approved.**

- E. 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 20 minutes. Commissioner Emler seconded. Commissioner Apple concurred. Motion was approved.

The Commission moved into Executive Session at 10:55 a.m. and reconvened in public session at 11:15 a.m.

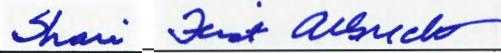
**The Commission took no action following this Executive Session.**

**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 approved, the Commission adjourned the November 24, 2015 Commission Meeting at 11:18 a.m.**

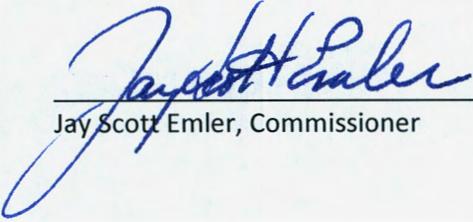
Respectfully submitted,



Amy L. Green  
Secretary



Shari Feist Albrecht, Chair



Jay Scott Emler, Commissioner



Pat Apple, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, November 24, 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 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 <b><i>Order Adopting Commission Staff's Report and Recommendation and Ordering Customer Refunds</i></b>	15-NECZ-051-KSF	
2	In the Matter of Moundridge Telephone Company Filing Tariff Revisions to its Service Connection Charges. <b><i>Order Approving Tariff Revisions</i></b>	16-MRGT-222-TAR	
3	In the Matter of the Complaint Against KCP&L by Stephen and Karen Gradwohl. <b><i>Order Granting Extension of Time</i></b>	15-KCPE-544-COM	
4	In the Matter of the the Complaint Against Kansas City Power and Light by Jamie Littich <b><i>Order Granting Extension of Time to Answer Complaint</i></b>	16-KCPE-195-COM	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Investigation of Prairie Trucking & Excavation LLC of Holton, 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. <b>Order Reinstating Intrastate Motor Carrier Operations</b>	15-TRAM-435-PEN	
6	In the Matter of the Emergency Suspension of Operating Authority of Amstar Electric, LLC of Oberlin, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Order Reinstating Motor Carrier Operating Authority</b>	16-TRAM-119-OOS	
7	In the Matter of the Emergency Suspension of Operating Authority of Newcon Concrete Construction, LLC of Olathe, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Order Reinstating Motor Carrier Operating Authority</b>	16-TRAM-190-OOS	
8	In the Matter of the Investigation of Jose Joya Siding and Roofing, LLC of Wichita, 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. <b>Emergency Suspension of Operating Authority Order</b>	16-TRAM-243-OOS	
9	In the Matter of the Emergency Suspension of Operating Authority of Jones Delivery, LLC of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	16-TRAM-247-OOS	
10	In the matter of the failure of American Energy Resources LLC ("Operator") to report activity that occurred during the 2014 calendar year in compliance with K.A.R. 82-3-409. <b>Default Order</b>	16-CONS-496-CPEN	
11	In the matter of the failure of Bickle Energies LLC ("Operator") to comply with K.A.R. 82-3-117 at the Arapahoe #31-1 well in Lane County, Kansas. <b>Penalty Order - Bickle Energies LLC</b>	16-CONS-612-CPEN	
12	In the matter of the failure of Mid-America Pipeline Company, LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the L371 #1, L373 #1 and L376 #1 in Clark County, Kansas. <b>Penalty Order - Mid-America Pipeline Company, LLC</b>	16-CONS-613-CPEN	
13	In the matter of the failure of SM Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Linder #1 SWD and Fulsom B #2 in Chautauqua County, Kansas. <b>Penalty Order - SM Oil &amp; Gas, Inc.</b>	16-CONS-614-CPEN	

## Consent Agenda

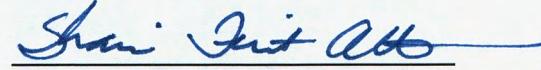
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the matter of the failure of Kansas MB Project, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Walter Moore #MB 4 and Walter Moore #MB 7 wells in Chautauqua County, Kansas. <b>Penalty Order - Kansas MB Project, LLC</b>	16-CONS-615-CPEN	
15	In the matter of the failure of Victor J. Leis ("Operator") to comply with K.A.R. 82-3-602 at the Tannahill #A-15, Tannahill #A-17, Tannahill #A-18, Tannahill #I-1, Tannahill #I-2, Tannahill #I-3 and Tannahill #I-4 wells in Woodson County, Kansas. <b>Penalty Order - Victor J. Leis</b>	16-CONS-616-CPEN	
16	In the matter of the failure of Red Oak Energy, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Smith-HF Unit #1 well in Wallace County, Kansas. <b>Penalty Order - Red Oak Energy, Inc.</b>	16-CONS-617-CPEN	
17	In the matter of the failure of Regency Field Services, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Swank #1, HFC #1, Soupiset Rect #1 and GFC #2 wells in Hamilton, Haskell and Morton County, Kansas. <b>Penalty Order - Regency Field Services, LLC</b>	16-CONS-618-CPEN	
18	In the matter of the failure of Ring Energy, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Jantz 32 #4-32 and Nally 1 #1-1 wells in Gray and Haskell County, Kansas. <b>Penalty Order - Ring Energy, Inc.</b>	16-CONS-619-CPEN	
19	In the matter of the failure of SM Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Underwood #101, Underwood #102, Underwood #103, Underwood #104 and Underwood #110 wells in Chautauqua County, Kansas. <b>Penalty Order - SM Oil &amp; Gas, Inc.</b>	16-CONS-620-CPEN	
20	In the matter of the failure of Forestar Petroleum Corporation ("Operator") to comply with K.A.R. 82-3-608 at the Barenberg #1-7 well in Rawlins County, Kansas. <b>Penalty Order - Forestar Petroleum Corporation</b>	16-CONS-621-CPEN	
21	In the matter of the failure of Kansas MB Project, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Walter Moore #MB 7 well in Chautauqua County, Kansas. <b>Penalty Order - Kansas MB Project, LLC</b>	16-CONS-622-CPEN	
22	In the matter of the failure of Victor J. Leis ("Operator") to comply with K.A.R. 82-3-608 at the Tannahill #A-15 and Tannahill #A-17 wells in Woodson County, Kansas. <b>Penalty Order - Victor J. Leis</b>	16-CONS-623-CPEN	
23	In the matter of the failure of M.A.E. Resources, Inc. ("Operator") to comply with K.A.R. 82-3-608 at the Martin #2A and Martin #8A wells in Anderson County, Kansas. <b>Penalty Order - M.A.E. Resources, Inc.</b>	16-CONS-624-CPEN	

**Consent Agenda**

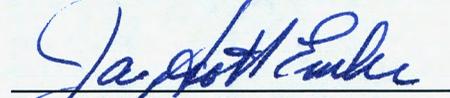
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the matter of the failure of PT Oil LLC ("Operator") to comply with K.A.R. 82-3-608 at the Mellor #3 well in Butler County, Kansas. <i>Penalty Order - PT Oil LLC</i>	16-CONS-625-CPEN	
25	In the matter of the failure of Regency Field Services, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Soupiset Rect #1 and GFC #2 wells in Morton County, Kansas. <i>Penalty Order - Regency Field Services, LLC</i>	16-CONS-626-CPEN	
26	In the matter of the application of Midco Exploration, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Theis #2-29 well located in the NW/4 of Section 29, Township 33 South, Range 25 West, Clark County, Kansas. <i>Order Granting Application</i>	16-CONS-571-CEXC	
27	In the Matter of the Investigation of Kevin C. Parks, d/b/a Old Fashioned Limo Service 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>Penalty Order</i>	16-TRAM-244-PEN	

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 to the Commission