

Kansas Corporation Commission
Commission Meeting
February 11, 2016
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 February 11, 2016 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 SW Arrowhead, Topeka, Kansas.

Present: Chairman Emler, Commissioner Albrecht and Commissioner Apple. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Albrecht moved for approval of the Consent Agenda: All other listed matters as presented for February 11, 2016 on the 5 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Apple seconded the Motion. Motion was approved.

2. **Noticed :**

- A. **Docket No. 16-CONS-011-CPEN, *In the matter of the failure of Bradley Oil Company ("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.***

Commissioner Apple moved for approval of order #16-0464 - *Order on Appeal.*

Commissioner Emler seconded. Motion was approved. Commissioner Albrecht voted no.

- B. **Docket No. 16-CONS-021-CPEN, *In the matter of the failure of D & Z Exploration, Inc. ("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.***

Commissioner Emler moved for approval of order #16-0466 - *Order on Appeal*

Commissioner Apple seconded. Motion was approved. Commissioner Albrecht voted no.

- C. **Docket No. 16-CONS-066-CPEN, *In the matter of the failure of Norstar Petroleum, Inc. ("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.***

Commissioner Albrecht moved for approval of order #16-0467 - *Order on Appeal.*

Commissioner Apple seconded. Motion was approved.

- D. **Docket No. 16-SCME-227-COC, *In the Matter of the Application of South Central MCN LLC for a Certificate of Public Convenience and Necessity***

Commissioner Albrecht moved for approval of order #16-0473 - *Order on Procedure.*

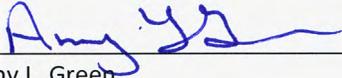
. Commissioner Apple seconded. Motion was approved.

3. Discussion/Deliberation on Docket No. 16-ATMG-079-RTS

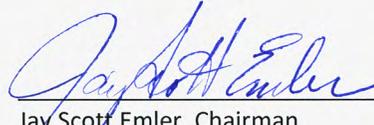
- A. Following the noticed items the Commission continued deliberations regarding Docket 16-ATMG-079-RTS and ended said deliberation at 10:36 am.

There being no further matters before the Commission, Commissioner Apple moved for adjournment of the Commission meeting, Commissioner Albrecht seconded the Motion. The Motion was approved, the Commission adjourned the February 11, 2016 Commission Meeting at 10:37 a.m.

Respectfully submitted,



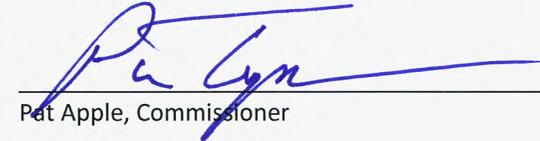
Amy L. Green
Secretary



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, February 11, 2016

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 SWKI-Stevens-N.E., Inc., A Kansas Not for Profit Corporation, for a Certificate of Convenience and Necessity With Respect to Certain Portions of Stevens County, Kansas, To Provide Natural Gas Service as a NonProfit Public Utility. <i>Certificate</i>	98-SWKG-654-COC	
2	In the Matter of the Application of SWKI-Stevens North, Inc., a Kansas Not-For-Profit Corporation to Amend its Certificate of Convenience and Necessity to Include Certain Portions of Stevens County, Kansas to Provide Natural Gas Service as a Nonprofit Public Utility. <i>Certificate</i>	03-SWKG-176-COC	
3	In the Matter of the Application of Atmos Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas in Sections 2, 3, 4, 5, 6, 8, 9 and 16, Township 31 South, Range 38 West and Section 1, Township 31 South, Range 39 West, Stevens County, Kansas. <i>Order Granting Second Motion to Extend Statutory Deadline</i>	16-ATMG-025-COC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Atmos Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas in Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, Township 30 South, Range 36 West, Grant County, Kansas. Order Granting Second Motion to Extend Statutory Deadline	16-ATMG-026-COC	
5	In the Matter of the Application of Kansas Gas Service, a Division of ONE Gas, Inc. for Approval by the Commission for a Revision in Company's Section 10 Cycles Tariff Suspension Order: September 28, 2016	16-KGSG-359-TAR	
6	In the Matter of the Complaint Against ITC Great Plains LLC and Mid Kansas Electric Co. LLC by James Leiszler. Order Granting Motion to File Out of Time	15-ITCE-561-COM	
7	In the Matter of the Application of Radiant Electric Cooperative, Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Utility in the State of Kansas, Section 24, T29s, R14E Wilson County, Kansas Certificate	16-RDTE-210-COC	
8	In the Matter of the Application of South Central MCN LLC for a Certificate of Public Convenience and Necessity Order Granting Admission Pro Hac Vice of Kyle C. Barry	16-SCME-227-COC	
9	In the Matter of the Applicant of the Application of Kansas Gas and Electric Company, Doing Business as Westar Energy for Authority to Cease Transacting the Business of an Electric Public Utility Specifically in Portions of Section 24, Township 29 South, Range 14 East, Wilson County, Kansas Order	16-KG&E-275-CCS	
10	In the Matter of a General Investigation to Examine the Effect of Kansas Senate Bill No. 91 Regarding Renewable Energy Standards. Order Granting Sunflower Electric Power Corporation and Mid-Kansas Electric Company, LLC's Petition to Intervene and Motion to File Petition Out of Time	16-GIME-258-GIE	
11	In the Matter of the Application of Heartland Rural Electric Cooperative for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Utility in the State of Kansas Linn County T19S R23E Section 35 Certificate	16-HREE-328-COC	
12	In the Matter of the Application of The Empire District Electric Company for Ad Valorem Tax Surcharge Rider Tariff Adjustment for 2016 Order Approving Ad Valorem Tax Surcharge	16-EPDE-344-TAR	
13	In the Matter of a General Investigation into the Appropriateness of Certain Sections of the Kansas Corporation Commission's Electric and Natural Gas Billing Standards (Billing Standards) Related to On-Premises Collections. Order Adopting Staff's Report and Recommendation	15-GIMX-344-GIV	

Consent Agenda

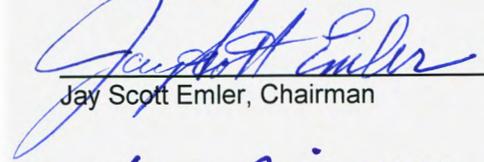
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Big River Telephone Company, LLC. Order Approving Modification to Interconnection Agreement	11-SWBT-076-IAT	
15	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 Order Accepting and Adopting GVNW Consulting Inc. Compliance Report and Closing Docket	15-NECZ-051-KSF	
16	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Nineteenth Year of the Kansas Universal Service Fund, Effective March 1, 2015. Order Approving Traffic Factors for Budge Prepay Inc.	15-GIMT-073-GIT	
17	In the Matter of the Southwestern Bell Telephone Company d/b/a AT&T Kansas Compliance with the Kansas Lifeline Service Program Requirements. Order Recognizing Compliance and Adopting Staff's Report and Recommendation (PUBLIC VERSION)	16-SWBT-192-CPL	
18	In the Matter of the Southwestern Bell Telephone Company d/b/a AT&T Kansas Compliance with the Kansas Lifeline Service Program Requirements. Order Recognizing Compliance and Adopting Staff's Report and Recommendation (CONFIDENTIAL)	16-SWBT-192-CPL	
19	In the Matter of a General Investigation of Coast 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 to Show Cause	16-CSIC-366-SHO	
20	In the matter of the failure of PetroSantander (USA) Inc. ("Operator") to comply with K.A.R. 82-3-608 at the Nelson #2-4 well in Finney County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	16-CONS-691-CPEN	
21	In the matter of the failure of Tailwater, Inc. ("Operator") to comply with K.A.R. 82-3-608 at the South Kempnich #13-T well in Anderson County, Kansas. Order Rescinding Penalty	16-CONS-692-CPEN	
22	In the matter of a Compliance Agreement between AAS Oil Co., Inc. and Commission Staff regarding bringing six wells in Cowley County into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	16-CONS-767-CMSC	
23	In the matter of a Compliance Agreement between SandRidge Exploration and Production LLC and Commission Staff regarding bringing nine wells in Comanche and Harper County into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	16-CONS-3779-CMSC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the matter of the failure of Hoffman Oil, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Hagy #1 in Ellsworth County, Kansas. <i>Penalty Order - Hoffman Oil, Inc.</i>	16-CONS-3784-CPEN	
25	In the Matter of the Investigation of Fibernet Inc. of Lenexa, 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 to Dismiss Request for Hearing and Waive Portion of a Civil Penalty</i>	16-TRAM-274-PEN	
26	In the Matter of the Investigation of Fibernet Inc. of Lenexa, 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>	16-TRAM-274-PEN	
27	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy ("Black Hills") for an Extension of its Certificate of Convenience and Authority to Operate as a Natural Gas Public Utility in an Area Served by a Private Pipeline and Owned by Kansas Turnpike Authority ("KTA"). <i>Order Approving Acquisition and Granting Certificate</i>	15-BHCG-032-ACQ	

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

For the Commission :



Jay Scott Emler, Chairman



Sharl Felst Albrecht, Commissioner



Pat Apple, Commissioner

Attest:



Amy L. Green
Secretary to the Commission