

Kansas Corporation Commission
Commission Meeting
March 17, 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 March 17, 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 March 17, 2016 on the 6 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-ATMG-079-RTS, *In the Matter of the Application of Atmos Energy Corporation for Adjustment of its Natural Gas Rates in the State of Kansas.***

Commissioner Apple moved for approval of order #16-0933 - *Order Approving in Part; Denying in Part Unanimous Settlement Agreement*. Commissioner Emler seconded the motion. Motion was approved. Commissioner Albrecht concurred in part and dissented in part.

- B. **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 #16-0948 - *Order Granting Motion to Withdraw*. Commissioner Apple seconded the motion. Motion was approved.

- C. **Docket No. 16-WSEE-375-TAR, *In the Matter of Westar Energy, Inc. and Kansas Gas and Electric Company Seeking Commission Approval to Implement Changes in their Transmission Delivery Charges Rate Schedules.***

Commissioner Apple moved a date certain of March 31, 2016 for consideration of order #16-0932 - *Order Granting Application to Implement Changes in Transmission Delivery Charge Subject-To-Refund*. Commissioner Albrecht seconded the motion. Motion was approved.

Chairman Emler recessed the business meeting at 10:20 a.m. for 30 minutes to conduct a hearing in docket #16-CONS-056-CPEN. The Commission returned at 10:50 a.m.

Chairman Emler recessed the business meeting at 10:50 a.m. for an additional 20 minutes. The Commission returned at 11:10 a.m.

3. **Other Matters:**

- A. Chairman Emler 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. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 11:15 a.m. and reconvened in public session at 11:30 a.m.

The Commission took no action following the Executive Session.

- B. Chairman Emler 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 5 minutes. Also called into the Executive Session was Deputy General Counsel, Sam Feather. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 11:30 a.m. and reconvened in public session at 11:35 a.m.

The Commission took no action following the Executive Session.

- C. Chairman Emler 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. Also called into Executive Session was Human Resources Director, Danelle Harsin. Commissioner Apple seconded the motion. Motion was approved.

The Commission moved into Executive Session at 11:41 a.m. and reconvened in public session at 12:01 p.m.

The Commission took no action following the Executive Session.

- D. Chairman Emler 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 15 minutes. Also called into Executive Session was Human Resources Director, Danelle Harsin. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 12:02 p.m. and reconvened in public session at 12:17 p.m.

The Commission took no action following the Executive Session.

The Commission recessed the business meeting at 12:18 p.m. to reconvene at 1:00 p.m. The Commission reconvened at 1:00 p.m.

- E. Chairman Emler 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 Advisory Counsel, Lane Palmateer. Commissioner Apple seconded the motion. Motion was approved.

The Commission moved into Executive Session at 1:02 p.m. and reconvened in public session at 1:32 p.m.

The Commission took no action following the Executive Session.

- F. Chairman Emler 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, Brian Fedotin, and Advisory Counsel, Lane Palmateer. Commissioner Apple seconded the motion. Motion was approved.

The Commission moved into Executive Session at 1:35 p.m. and reconvened in public session at 1:51 p.m.

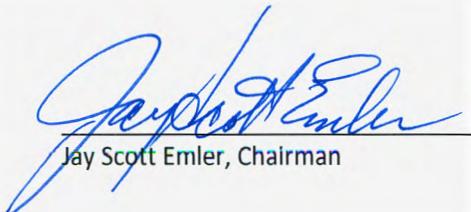
The Commission took no action following the Executive Session.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting, Commissioner Apple seconded the motion. The motion was approved. The Commission adjourned the March 17, 2016 Commission Meeting at 1:52 p.m.

Respectfully submitted,



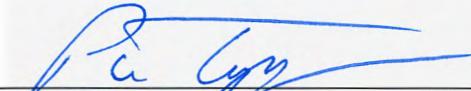
Amy L. Green
Secretary



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, March 17, 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 an Order to Show Cause issued to KanTex Oil & Gas LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3815-CSHO	
2	In the matter of an Order to Show Cause issued to Kelly Oil Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3816-CSHO	
3	In the matter of an Order to Show Cause issued to Klondike Investments, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3817-CSHO	
4	In the matter of an Order to Show Cause issued to L H Energy, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3818-CSHO	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of an Order to Show Cause issued to Lone Star Oil, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3819-CSHO	
6	In the matter of an Order to Show Cause issued to Metro Energy Group, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3820-CSHO	
7	In the matter of an Order to Show Cause issued to Mid-America Resources, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3821-CSHO	
8	In the matter of an Order to Show Cause issued to MJ Energy, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3822-CSHO	
9	In the matter of an Order to Show Cause issued to Monument Resources, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3823-CSHO	
10	In the matter of an Order to Show Cause issued to Oil Finder's and Producer's, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3824-CSHO	
11	In the matter of an Order to Show Cause issued to Parwest Land Exploration, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3825-CSHO	
12	In the matter of an Order to Show Cause issued to Petroleum Corporation of North America ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3826-CSHO	
13	In the matter of an Order to Show Cause issued to Philpott Oil & Gas Co Inc ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3827-CSHO	
14	In the matter of an Order to Show Cause issued to Pioneer Oil Co. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3828-CSHO	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of an Order to Show Cause issued to Prairie Resources Inc ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3829-CSHO	
16	In the matter of an Order to Show Cause issued to Rebel Resources, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3830-CSHO	
17	In the matter of an Order to Show Cause issued to Robinson Energy & Exploration, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3831-CSHO	
18	In the matter of an Order to Show Cause issued to Rogers & Slane, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3832-CSHO	
19	In the matter of an Order to Show Cause issued to RyHolland Fielder, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3833-CSHO	
20	In the matter of an Order to Show Cause issued to Sanders Oil Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3834-CSHO	
21	In the matter of an Order to Show Cause issued to Terrol Energy, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3835-CSHO	
22	In the matter of an Order to Show Cause issued to Timberlake Energy Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3836-CSHO	
23	In the matter of an Order to Show Cause issued to Tremo Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3837-CSHO	
24	In the matter of an Order to Show Cause issued to Wolfe Oil Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-3839-CSHO	

Consent Agenda

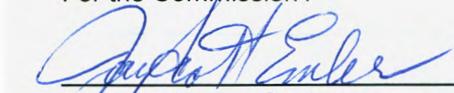
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the matter of an Order to Show Cause issued to Xenex, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-3840-CSHO	
26	In the matter of an Order to Show Cause issued to The Xenia Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-3841-CSHO	
27	In the matter of the failure of Commodity Consulting, LLC ("Operator") to comply with K.A.R. 82-3-111 at the DeGeer #2 in Barber County, Kansas. Penalty Order - Commodity Consulting, LLC	16-CONS-3888-CPEN	
28	In the matter of the failure of Agricultural Energy Services ("Operator") to comply with K.A.R. 82-3-111 at the Reiss #1-17 in Seward County, Kansas. Penalty Order - Agricultural Energy Services	16-CONS-3889-CPEN	
29	In the matter of the failure of Barbour Energy Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Clover #1-17 and Tumbleweed #1-19 wells in Seward County, Kansas. Penalty Order - Barbour Energy Corporation	16-CONS-3890-CPEN	
30	In the matter of an Order to Show Cause issued to Black Star Petroleum Corp. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference	16-CONS-705-CSHO	
31	In the matter of an Order to Show Cause issued to Falcon Energy Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference	16-CONS-721-CSHO	
32	In the matter of an Order to Show Cause issued to J & J Operating, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference	16-CONS-730-CSHO	
33	In the matter of an Order to Show Cause issued to Pemco, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-745-CSHO	
34	In the matter of an Order to Show Cause issued to Pace Exploration L.L.C. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-451-CSHO	

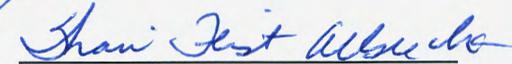
Consent Agenda

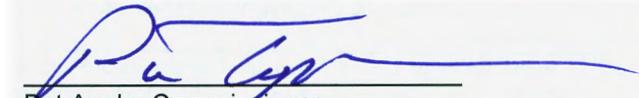
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
35	In the Matter of the Application of Herman L. Loeb LLC for an Order Authorizing the Unitization and Unit Operation of the Nichols-Dennis Unit in Kiowa County, Kansas. Order Granting Application	16-CONS-505-CUNI	
36	In the Matter of Blue Valley Tele-Communications, For Permission to Revise the Boundary Change Between Blue Valley's Onaga Exchange and CenturyLink's Emmett Exchange. Certificate	16-BLVT-386-CXB	
37	In the Matter of United Telephone Companies of Kansas dba CenturyLink Filing Revises Exchange Boundary Between CenturyLink's Emmett Exchange and Blue Valley's Onaga Exchange. Order	16-UTDT-387-CXB	
38	In the Matter of the Application of Midwest Energy, Inc. Seeking Commission Approval to Update Attachment H of its Open Access Transmission Tariff Order Granting Intervention to KEPCO	16-MDWE-324-TFR	
39	In the Matter of the Application of Park Place Communities Management, LLC for a Certificate of Convenience and Authority to Transact the Business of a(n) Water Public Utility in the State of Kansas Portions of Section 10, T19s, R10E, Lyon County Order Granting Withdrawal of Applications and Closing Dockets	16-PPCW-326-COC	
39	In the Matter of the Applicant of Green Acres Mobile Home Park, LLC for Permission to Cease Operation as a(n) Water Public Utility in the State of Kansas. Portions of Section 10, T19S, R10E, Lyon County Order Granting Withdrawal of Applications and Closing Dockets	16-STMW-273-CCS	
40	In the Matter of the Investigation of SLM, Inc. 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. Penalty Order	16-TRAM-401-PEN	
41	In the Matter of the Investigation of Precision Pipe Cover, 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-405-PEN	

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

For the Commission :


Jay Scott Emler, Chairman


Shari Feist Albrecht, Commissioner


Pat Apple, Commissioner

Attest:


Amy L. Green
Secretary to the Commission