

Kansas Corporation Commission
Commission Meeting
March 31, 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 31, 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 31, 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. **Commission Roll Call Vote for Formal Adoption of 2013 Amendments to Transportation Regulations:**

Presenter: Ahsan Latif

Staff requested the Commission approve regulations as presented.

Commissioner Albrecht moved to adopt the amendments as presented. The motion was seconded by Commissioner Apple and passed upon the following roll call vote:

Chairman Emler	<u> aye </u>
Commissioner Albrecht	<u> aye </u>
Commissioner Apple	<u> aye </u>

- B. **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.**

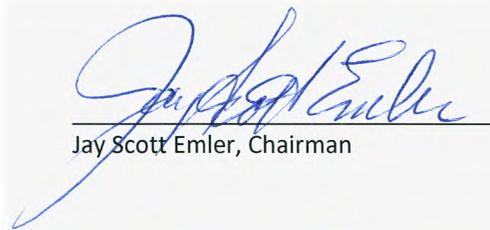
Commissioner Apple moved for approval of order #16-1076 - *Order Granting Application to Implement Changes in Transmission Delivery Charge Subject-To-Refund*. Commissioner Albrecht seconded. Motion was approved.

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 March 31, 2016 Commission Meeting at 10:05 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, March 31, 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 Audit of Wamego Telecommunications Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2014 Supp. 66-2010(b) for KUSF Operating Year 18, Fiscal Year March 2014-February 2015. <i>Order Accepting and Adopting Compliance Report and Closing Docket</i>	16-WTCT-037-KSF	
2	In the Matter of an Investigation to Determine the Assessment Rate for the Twentieth Year of the Kansas Universal Service Fund, Effective March 1, 2016. <i>Order Approving Traffic Factors for Cellular Network Partnership, d/b/a Pioneer Cellular</i>	16-GIMT-067-GIT	
3	In the Matter of a General Investigation of Accessline Communications Corporation to Show Cause Why This Commission Should Not Initiate Sanctions and Fines and Cancel, Suspend and Revoke Any Authority the Carrier Currently Holds. <i>Order Dismissing Show Cause and Assessing Penalty</i>	16-ALIC-367-SHO	
4	In the Matter of the Application of Wheat State Telephone Company Filing Tariff Revisions to MetroOne Optional Calling Plan & Bundled Service Packages. <i>Order Approving Tariff Revisions</i>	16-WHST-407-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Southern Pioneer Electric Company for Permission to Cease Operating as a(n) Electric Public Utility in the State of Kansas. N/2 and N/2 of the S/2 of Section 35 T29S, R32W Excluding 2 Strips of Land <i>Order</i>	16-SPEE-345-CCS	
6	In the Matter of the Application of Pioneer Electric Cooperative, Inc. for Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. N/2 and N/2 of the S/2 of Section 35, T29S, R32W Excluding 2 Strips of Land <i>Certificate</i>	16-PNRE-346-COC	
7	In the Matter of the Application of the City of Neodesha for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. <i>Certificate</i>	16-NDSE-385-COC	
8	In the Matter 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 25, Township 30 South, Range 15 East, Wilson County, Kansas <i>Order</i>	16-KG&E-402-CCS	
9	In the Matter of the Investigation of Johnson Logistics Kansas, L.L.C., d/b/a Johnson Storage & Moving 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. <i>Penalty Order</i>	16-TRAM-427-PEN	
10	In the Matter of the Investigation of KC Irrigation Specialists, LLC of Leawood, 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-431-PEN	
11	In the Matter of the Investigation of Allconstruct LLC of Baldwin 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-433-PEN	
12	In the matter of an Order to Show Cause issued to BR Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-277-CSHO	

Consent Agenda

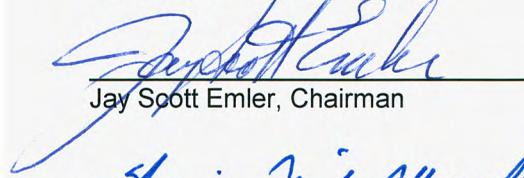
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the matter of the application of American Warrior, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kerstetter 4-33 Twin well located in the NW/4 of Section 33, Township 32 South, Range 19 West, Comanche County, Kansas. Order Granting Application	16-CONS-597-CEXC	
14	In the matter of the failure of RMR Operating, LLC ("Operator") to comply with K.A.R. 82-3-120. Order Rescinding Penalty	16-CONS-3859-CPEN	
15	In the matter of the failure of Enterprise Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Riedel #4 in Ellis County, Kansas. Penalty Order - Enterprise Inc.	16-CONS-3893-CPEN	
16	In the matter of the failure of Rama Operating Co., Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Buckbee B #3 in Barton County, Kansas. Penalty Order - Rama Operating Co., Inc.	16-CONS-3895-CPEN	
17	In the matter of the failure of H & M Petroleum Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Bonita Springs #3 in Gove County, Kansas. Penalty Order - H & M Petroleum Corporation	16-CONS-3897-CPEN	
18	In the matter of the failure of American Warrior, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Shank #5-11 well in Ness County, Kansas. Penalty Order - American Warrior, Inc.	16-CONS-3898-CPEN	
19	In the matter of the failure of Southwind Petroleum Corp. ("Operator") to comply with K.A.R. 82-3-602 at the Dirks #27-2 well in Rush County, Kansas. Penalty Order - Southwind Petroleum Corp.	16-CONS-3899-CPEN	
20	In the matter of the failure of Southwind Petroleum Corp. ("Operator") to comply with K.A.R. 82-3-608 at the Dirks #27-2 well in Rush County, Kansas. Penalty Order - Southwind Petroleum Corp.	16-CONS-3900-CPEN	
21	In the matter of the failure of Wilton Petroleum, Inc. ("Operator") to comply with K.A.R. 82-3-608 at the Appleman Twin #SWD well in Grant County, Kansas. Penalty Order - Wilton Petroleum, Inc.	16-CONS-3901-CPEN	
22	In the matter of the failure of Carpenter Energy LLC ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Carpenter Energy LLC	16-CONS-3902-CPEN	
23	In the matter of the failure of Enerjex Kansas, Inc. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Enerjex Kansas, Inc.	16-CONS-3903-CPEN	

Consent Agenda

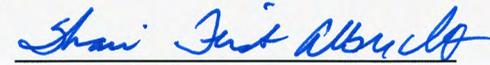
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the matter of the failure of F-2 Oil Company LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - F-2 Oil Company LLC</i>	16-CONS-3904-CPEN	
25	In the matter of the failure of SM Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Linder #2 in Chautauqua County, Kansas. <i>Penalty Order - SM Oil & Gas, Inc.</i>	16-CONS-3905-CPEN	
26	In the matter of the failure of Jo-Allyn Oil Co., Inc. ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Sherer B #1 in Kiowa County, Kansas. <i>Penalty Order - Jo-Allyn Oil Co., Inc.</i>	16-CONS-3906-CPEN	
27	In the matter of the failure of Lario Oil & Gas Company ("Operator") to comply with K.A.R. 82-3-117 at the Sampson #4-10 well in Wichita County, Kansas. <i>Penalty Order - Lario Oil & Gas Company</i>	16-CONS-3907-CPEN	
28	In the matter of the failure of Pioneer Exploration, LLC to comply with K.A.R. 82-3-603 at the Martin B lease in Harper County, Kansas. <i>Penalty Order - Pioneer Exploration, LLC</i>	16-CONS-3909-CPEN	
29	In the matter of the failure of McCann Drilling, Inc. ("Operator") to comply with K.A.R. 82-3-117 at the Graham #3 well in Chautauqua County, Kansas. <i>Penalty Order - McCann Drilling, Inc.</i>	16-CONS-3908-CPEN	

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

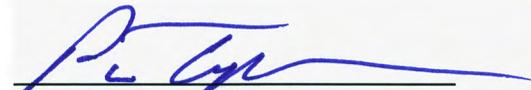
For the Commission :



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner

Attest:



Amy L. Green
Secretary to the Commission

KANSAS CORPORATION COMMISSION

CERTIFICATE OF ADOPTION

I hereby certify that the Kansas Corporation Commission, by roll call vote of the required majority of Commissioners, adopted the following regulations as permanent regulations on the 31 day of March, 2016. Pursuant to K.S.A. 77-421(b)(1), the Commission adopted the proposed amendments to the following K.A.R.s so they will mirror the 2013 version of Federal Motor Carrier Safety Regulations (FMCSRs) and Kansas will maintain federal grants.

K.A.R.s 82-4-1; 82-4-2a; 82-4-3h; 82-4-3i; 82-4-3j; 82-4-3k; 82-4-3n; 82-4-3o; 82-4-20

These regulations are hereby filed for adoption, and the Economic Impact Statement is enclosed.

Roll Call Vote:

<u>Person</u>	<u>KCC Position</u>	<u>Vote</u>
Jay Scott Emler	Chairman	<u>aye</u>
Shari Feist Albrecht	Commissioner	<u>aye</u>
Pat Apple	Commissioner	<u>aye</u>



Amy L. Green
Secretary to the Commission



Date