

Kansas Corporation Commission
Commission Meeting
April 5, 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 April 5, 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 April 5, 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. **Other Matters:**
 - A. 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 10 minutes. Commissioner Apple seconded the motion. Motion was approved.

The Commission moved into Executive Session at 10:01 a.m. and reconvened in public session at 10:11 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 60 minutes. Also called into the Executive Session was Deputy General Counsel, Brian Fedotin, Assistant General Counsel, Dustin Kirk, Assistant General Counsel, Lane Palmateer, Staff, Rene Stucky and Brandon Miller. Commissioner Apple seconded the motion. Motion was approved.

The Commission moved into Executive Session at 10:16 a.m. and reconvened in public session at 11:16 a.m.

The Commission took no action following the Executive Session.
 - C. 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, Assistant General Counsel, Dustin Kirk, Assistant General Counsel, Lane Palmateer, Staff, Rene Stucky and Brandon Miller. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 11:20 a.m. and reconvened in public session at 11:50 a.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 April 5, 2016 Commission Meeting at 1:54 p.m.

Respectfully submitted,



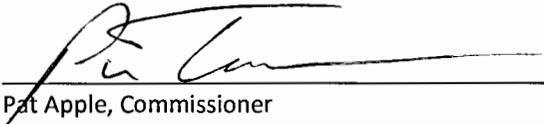
Amy L. Green
Secretary



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, April 5, 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 4-D Petroleum Consultants, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-698-CSHO	
2	In the matter of an Order to Show Cause issued to Allenergy, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-699-CSHO	
3	In the matter of an Order to Show Cause issued to Art & M Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-700-CSHO	
4	In the matter of an Order to Show Cause issued to Aspen Drilling Co. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-701-CSHO	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of an Order to Show Cause issued to Baystar Petroleum Corporation ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-702-CSHO	
6	In the matter of an Order to Show Cause issued to Bisbee Oil and Gas Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-703-CSHO	
7	In the matter of an Order to Show Cause issued to Black Petroleum Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-704-CSHO	
8	In the matter of an Order to Show Cause issued to Brandt Production Company, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-706-CSHO	
9	In the matter of an Order to Show Cause issued to Core Energy LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-710-CSHO	
10	In the matter of an Order to Show Cause issued to Cunningham Energy, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-711-CSHO	
11	In the matter of an Order to Show Cause issued to Dakota Production Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-712-CSHO	
12	In the matter of an Order to Show Cause issued to Double Eagle Resources, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-713-CSHO	
13	In the matter of an Order to Show Cause issued to Dunbar & Son Oil Enterprises, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-714-CSHO	
14	In the matter of an Order to Show Cause issued to Elk River Energy ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-715-CSHO	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of an Order to Show Cause issued to Energy Assets Operating Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-716-CSHO	
16	In the matter of an Order to Show Cause issued to Energy Exploration & Production, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-717-CSHO	
17	In the matter of an Order to Show Cause issued to Energy Three, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-718-CSHO	
18	In the matter of an Order to Show Cause issued to Eric Waddell Co., LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-719-CSHO	
19	In the matter of an Order to Show Cause issued to Fairway Petroleum, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-720-CSHO	
20	In the matter of an Order to Show Cause issued to Force Fuel Services, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-722-CSHO	
21	In the matter of an Order to Show Cause issued to Fort Scott Methane Partners, LCC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-723-CSHO	
22	In the matter of an Order to Show Cause issued to FREEDOM ENERGY INTERNATIONAL, INC. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-724-CSHO	
23	In the matter of an Order to Show Cause issued to French & Winterscheid, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-725-CSHO	
24	In the matter of an Order to Show Cause issued to Gault Oil Company, Limited ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Default Order</i>	16-CONS-726-CSHO	

Consent Agenda

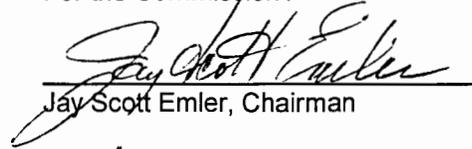
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the matter of an Order to Show Cause issued to General Atlantic Resources, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-727-CSHO	
26	In the matter of an Order to Show Cause issued to Heat Can Oil, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-728-CSHO	
27	In the matter of an Order to Show Cause issued to High Plains Resources, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-729-CSHO	
28	In the matter of an Order to Show Cause issued to KAMC Oil & Gas LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-731-CSHO	
29	In the matter of an Order to Show Cause issued to Black Diamond Research & Development Corp. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order Closing Docket	16-CONS-3791-CSHO	
30	In the matter of an Order to Show Cause issued to Brower Oil & Gas Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-481-CSHO	
31	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 Closing Docket	16-CONS-745-CSHO	
32	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 P.N. Clark #3 well located in the SW/4 of Section 32, Township 8 South, Range 21 West, Graham County, Kansas. Order Granting Application	16-CONS-3877-CEXC	
33	In the matter of the application of Falcon Exploration, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Giles #2 well located in the NE NE SE NW Section 13-T31S-R22W, Clark County, Kansas. Order Granting Application	16-CONS-3910-CEXC	
34	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with BCN Telecom, Inc. Order Approving Amended Interconnection Agreement	15-SWBT-102-IAT	

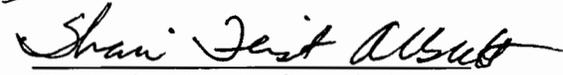
Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
35	In the Matter of the Petition of Budget PrePay, Inc. for Designation as a Non-Rural Wireless Eligible Telecommunications Carrier Order Granting Withdrawal Without Prejudice and Closing Docket	16-BGPT-158-ETC	
36	In the Matter of Certification of Compliance with Section 254(e) of the Federal Telecommunications Act of 1996 and Certification of Appropriate Use of Kansas Universal Service Fund Support. Order Opening Docket	16-GIMT-382-GIT	
37	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy, for a Certificate of Convenience and Authority to Transact the Business of a Natural Gas Public Utility in the State of Kansas. Section 32, Township 33S, Range 36W and Section 5, Township 34S, Range 36W, Stevens County, Kansas. Certificate	16-BHCG-395-COC	
38	In the Matter of the Investigation of Ludwig Truck Line LLC of Florence, 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-430-PEN	
39	In the Matter of the Emergency Suspension of Operating Authority of Big Bopper, LLC of Seneca, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	16-TRAM-434-OOS	
40	In the Matter of the Emergency Suspension of Operating Authority of J. Jesus Hortelano of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	16-TRAM-435-OOS	
41	In the Matter of the Emergency Suspension of Operating Authority of Keep on Truckin' LLC of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	16-TRAM-436-OOS	

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