

Kansas Corporation Commission
Commission Meeting
May 3, 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 May 3, 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 May 5, 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. **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. Director of Conservation, Ryan Hoffman and Assistant General Counsel, Dustin Kirk attended the Executive Session. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 10:03 a.m. and reconvened in public session at 10:18 a.m.

The Commission took no action following the Executive Session.

- 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 30 minutes. Director of Conservation, Ryan Hoffman, Assistant General Counsel, Dustin Kirk, and Pipeline Safety Chief Engineer, Leo Haynos attended the Executive Session. Commissioner Apple seconded the motion. Motion was approved.

The Commission moved into Executive Session at 10:20 a.m. and reconvened in public session at 10:50 a.m.

The Commission took no action following the Executive Session.

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 May 3, 2016 Commission Meeting at 10:51 a.m.

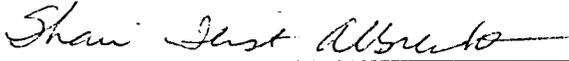
Respectfully submitted,



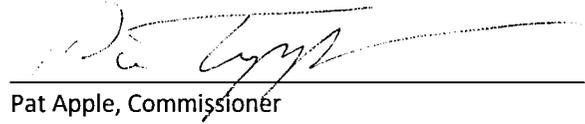
Amy L. Green
Secretary



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, May 3, 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 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. <i>Order Approving Traffic Factors for Star2Star Communications, Inc.</i>	15-GIMT-073-GIT	
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 Budge Prepay, Inc.</i>	16-GIMT-067-GIT	
3	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 Senior Tech LLC dba Snapfon</i>	16-GIMT-067-GIT	
4	In the Matter of the Application of Local Access LLC for a Certificate of Convenience and Authority to Provide Local Exchange an Exchange Access Service Within the State of the Kansas. <i>Order Correcting Certificate</i>	16-LALT-233-COC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Emergency Suspension of Operating Authority of Brian Chisham of Wakarusa, 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-478-OOS	
6	In the Matter of the Emergency Suspension of Operating Authority of WVWL, Inc., d/b/a Wheatland Van Lines of Wichita, 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-479-OOS	
7	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 Sewa County, Kansas. Order Approving Settlement Agreement	16-CONS-3889-CPEN	
8	In the matter of the application of Daniel Rice for a Well Location Exception for their domestic Gas well located at 21320 Kill Cree Spring Hill, Johnson County, Kansas. Order Granting Application	16-CONS-3984-CWLE	
9	In the matter of the failure of Russell Nightingale dba R J Operating Co. ("Operator") to comply with K.A.R. 82-3-407 at the M Steckel #6 in Barton County, Kansas. Penalty Order - Russell Nightingale dba R J Operating Co.	16-CONS-3990-CPEN	
10	In the matter of the failure of Pioneer Exploration, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Martin B #5 in Harper County, Kansas. Penalty Order - Pioneer Exploratio, LLC	16-CONS-3991-CPEN	
11	In the matter of the failure of Atlas Operating LLC ("Operator") to comply with K.A.R. 82-3-111 at the Lydia I Gaug #3-1 in Harper County, Kansas. Penalty Order - Atlas Operating LLC	16-CONS-3992-CPEN	
12	In the matter of the failure of Joe Brake dba Brake Inc. ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the T Bollinger #RDK-1 in Butler County, Kansas. Penalty Order - Joe Brake dba Brake Inc.	16-CONS-3993-CPEN	
13	In the matter of the failure of American Warrior, Inc. ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the White #5-8 in Ellsworth County, Kansas. Penalty Order - American Warrior, Inc.	16-CONS-3994-CPEN	
14	In the matter of the failure of Butler Petroleum LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Rains in Montgomery County, Kansas. Penalty Order - Butler Petroleum LLC	16-CONS-3995-CPEN	
15	In the matter of the failure of Kansas Petroleum Resources, LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Copeland #1 A in Cowley County, Kansas. Penalty Order - Kansas Petroleum Resources, LLC	16-CONS-3996-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the matter of the failure of SCZ Resources, LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Baker #WSW-1 in Miami County, Kansas. Penalty Order - SCZ Resources, LLC	16-CONS-3997-CPEN	
17	In the matter of the failure of American Oil LLC ("Operator") to comply with K.A.R. 82-3-117 at the Saindon #1-33 well in Rooks County, Kansas. Penalty Order - American Oil LLC	16-CONS-3998-CPEN	
18	In the matter of the failure of Donald Brickley dba D & J Investments ("Operator") to comply with K.A.R. 82-3-117 at the Henn #1, Henn #2 and Henn Estate #3 wells in Butler County, Kansas. Penalty Order - Donald Brickley dba D & J Investments	16-CONS-3999-CPEN	
19	In the matter of the failure of Coen Energy Corporation ("Operator") to comply with K.A.R. 82-3-117 at the Weber #A-1 and Webb B #36 wells in Linn County, Kansas. Penalty Order - Coen Energy Corporation	16-CONS-4000-CPEN	
20	In the matter of the failure of Cross Bar Energy, LLC ("Operator") to comply with K.A.R. 82-3-117 at the Burkett E UT #45 well in Greenwood County, Kansas. Penalty Order - Cross Bar Energy, LLC	16-CONS-4001-CPEN	✓
21	In the matter of the failure of Anderson Exploration LLC ("Operator") to comply with K.A.R. 82-3-602 at the Dwane Anderson #7-1 well in Graham County, Kansas. Penalty Order - Anderson Exploration LLC	16-CONS-4002-CPEN	
22	In the matter of the failure of J. R. Burris ("Operator") to comply with K.A.R. 82-3-602 at the Baker #1 well in Allen County, Kansas. Penalty Order - J. R. Burris	16-CONS-4003-CPEN	
23	In the matter of the failure of Stelbar Oil Corporation, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Wiechman Trust #1-1 well in Scott County, Kansas. Penalty Order - Stelbar Oil Corporation, Inc.	16-CONS-4004-CPEN	
24	In the matter of the failure of Flatland Energy, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Brownrigg A #68 well in Linn County, Kansas. Penalty Order - Flatland Energy, LLC	16-CONS-4005-CPEN	
25	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 Grant County, Kansas. Penalty Order - Wilton Petroleum, Inc.	16-CONS-4006-CPEN	
26	In the matter of the failure of Lost Creek Oil, Inc. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Lost Creek Oil, Inc.	16-CONS-4007-CPEN	

Consent Agenda

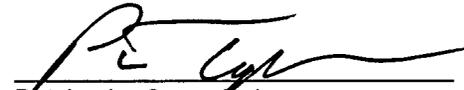
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
27	In the matter of the failure of Bomber Oil Inc. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Bomber Oil Inc.	16-CONS-4008-CPEN	
28	In the matter of the failure of Canary Operating Corporation ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Canary Operating Corporation	16-CONS-4009-CPEN	
29	In the matter of the failure of Randy Kirkland dba R & R Partners ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Randy Kirkland dba R & R Partners	16-CONS-4010-CPEN	
30	In the matter of the failure of Trinity Bay Oil & Gas Inc. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Trinity Bay Oil & Gas Inc.	16-CONS-4011-CPEN	
31	In the matter of the failure of Lowe's Arena, LLC ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Lowe's Arena, LLC	16-CONS-4012-CPEN	
32	In the matter of the failure of Commodity Consulting LLC ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Commodity Consulting LLC	16-CONS-4013-CPEN	
33	In the matter of the failure of Agape Service Incorporated ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Agape Service Incorporated	16-CONS-4014-CPEN	
34	In the matter of the failure of Rare Minerals, LLC ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Rare Minerals, LLC	16-CONS-4015-CPEN	
35	In the matter of the failure of Stratex Operating, Inc. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Stratex Operating, Inc.	16-CONS-4016-CPEN	
36	In the matter of the failure of Atlas Operating LLC ("Operator") to comply with K.A.R. 82-3-111 at the Joe Tjaden #2-24, Joe Tjade #3-24, Joe Tjaden #4-24 and Joe Tjaden #8-24 wells in Kingman County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	16-CONS-3785-CPEN	
37	In the matter of the failure of Ace Energy LLC to comply with K.A.R. 82-3-400 at eleven wells on the Pearson lease in Crawford County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	16-CONS-3914-CPEN	
38	In the matter of an Order to Show Cause issued to Steve Angle dba Angle Oil Company ("Operator") regarding responsibility under K.S.A. 55-179 for plugging seven wells in Trego County and one well in Barton County, Kansas. Default Order	16-CONS-3892-CSHO	
39	In the matter of an Order to Show Cause issued to Kenneth C. Beard dba K.B. Oil & Gas ("Operator") regarding responsibility under K.S.A. 55-179 for plugging the Ross #3 well in Chautauqua County, Kansas. Order to Show Cause, Designating a Prehearing Officer & Setting a Prehearing Conference	16-CONS-3988-CSHO	

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