

Kansas Corporation Commission
Commission Meeting
August 25, 2016
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regular scheduled open meeting of the Commission at 10:00 a.m. on August 25, 2016 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner Apple moved for approval of the Consent Agenda: All other listed matters as presented for August 25, 2016 on the four page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 16-KCPE-593-ACQ: *In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Acquisition of Westar Energy, Inc. by Great Plains Energy Incorporated.***

Commissioner Albrecht moved for approval of order #16-2746 - *Order on Petition for Reconsideration of Discovery Order*. Commissioner Apple seconded the motion.

The motion was approved.

- B. **Docket No. 16-MDWE-324-TFR: *In the Matter of the Application of Midwest Energy, Inc. Seeking Commission Approval to Update Attachment H of its Open Access Transmission Tariff.***

Commissioner Albrecht moved for approval of order #16-2745 - *Order Approving Unanimous Settlement Agreement*. Commissioner Apple seconded the motion.

The motion was approved.

- C. **Docket No. 17-WSEE-063-STG: *In the Matter of the Application of Westar Energy, Inc. for a Siting Permit for the Construction of a 345 kV Transmission Line in Leavenworth County, Kansas.***

Commissioner Albrecht moved for approval of order #16-2756 - *Order Designating Prehearing Officer; Protective and Discovery Order; and Adoption of Procedural Schedule*. Commissioner Apple seconded the motion.

The motion was approved.

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, to obtain legal advice, for a period of 45 minutes. Also called into the Executive Session was Dustin Kirk, Deputy General Counsel; Jonathan Myers, Litigation Counsel; Ryan Hoffman, Director Conservation Division; Steve Korf, Conservation District Supervisor – Chanute, Jonelle Rains, Environmental Protection and Remediation Program Supervisor and Patrick Shields, Well Plugging Environmental Program Supervisor. Commissioner Albrecht seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:10 a.m. and reconvened in public session at 10:55 a.m.

The Commission took no action following this 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, to obtain legal advice, for a period of 15 minutes. Also called into the Executive Session was Dustin Kirk, Deputy General Counsel; Jonathan Myers, Litigation Counsel; Ryan Hoffman, Director Conservation Division; Steve Korf, Conservation District Supervisor – Chanute, Jonelle Rains, Environmental Protection and Remediation Program Supervisor and Patrick Shields, Well Plugging Environmental Program Supervisor. Commissioner Albrecht seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:56 a.m. and reconvened in public session at 11:11 a.m.

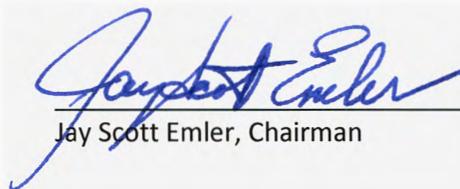
The Commission took no action following this Executive Session.

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 August 25, 2016 Commission Meeting at 11:13 a.m.

Respectfully submitted,



Amy Green
Secretary to the Commission



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, August 25, 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 Kansas City Power & Light Company for Authority to Set Distribution Facilities to the City of Baldwin City, Kansas, and for Modification of Service Territory <i>Certificate and Order</i>	16-KCPE-580-CCS	
2	In the Matter of the Application of Kansas Gas and Electric Company, Doing Business as Westar Energy, Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in Portions of Sections 1, 2, 3, 4 and 6; Township 33 South, Ranges 14 East and 15 East, Montgomery County, Kansas. <i>Certificate</i>	16-KG&E-585-COC	
3	In the Matter of NuStar Pipeline Operating Partnership, L.P. Filing Tariff Revisions for Commission Approval of Tariff K.C.C. No. 17 and Canceling K.C.C. No. 16. <i>Order Approving Tariff Revisions</i>	16-KNBP-597-TAR	

Consent Agenda

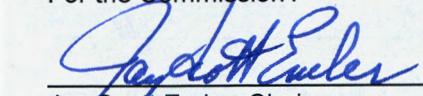
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of ONEOK NGL Pipeline, LLC Seeking Commission Approval for K.C.C. No. 10.0 Establishing a New Proportional Tariff. <i>Suspension Order</i>	17-ONEP-065-TAR	
5	In the matter of the failure of Scott Services LLC ("Operator") to comply with K.A.R. 82-3-111 at the Scott #4 and Scott #5 wells in Ellis County, Kansas. <i>Penalty Order -- Scott Services LLC</i>	17-CONS-3036-CPEN	
6	In the matter of the failure of Enterprise Inc. ("Operator") to comply with K.A.R. 82-3-126 at the Palmberg Tank Battery in Rooks County, Kansas. <i>Penalty Order - Enterprise Inc.</i>	17-CONS-3037-CPEN	
7	In the matter of the failure of Foundation Energy Management LLC ("Operator") to comply with K.A.R. 82-3-111 at the Singleton #1-2 in Kearny County, Kansas. <i>Penalty Order - Foundation Energy Management LLC</i>	17-CONS-3038-CPEN	
8	In the matter of the failure of Oil Producers, Inc. of Kansas ("Operator") to comply with K.A.R. 82-3-111 at the Gingrich #1-B in Finney County, Kansas. <i>Penalty Order - Oil Producers, Inc. of Kansas</i>	17-CONS-3039-CPEN	
9	In the matter of the failure of REH Oil and Gas LLC ("Operator") to comply with K.A.R. 82-3-111 at the Conrad #30-1 in Clark County, Kansas. <i>Penalty Order - REH Oil and Gas LLC</i>	17-CONS-3040-CPEN	
10	In the matter of the failure of Kansas Resource Exploration & Development, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Joeckel #CW 8 in Miami County, Kansas. <i>Penalty Order - Kansas Resource Exploration & Development, LLC</i>	17-CONS-3042-CPEN	
11	In the matter of the failure of Wildcat Exploration LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Don Breuel #O9 and Don Breuel #O11 in Linn County, Kansas. <i>Penalty Order - Wildcat Exploration LLC</i>	17-CONS-3044-CPEN	
12	In the matter of the failure of American Oil LLC ("Operator") to comply with K.A.R. 82-3-602 at the Saindon #1-33 well in Rooks County, Kansas. <i>Penalty Order - American Oil LLC</i>	17-CONS-3045-CPEN	
13	In the matter of the failure of SCZ Resources, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Rubow #R-D1 well in Wilson County, Kansas. <i>Penalty Order - SCZ Resources, LLC</i>	17-CONS-3046-CPEN	

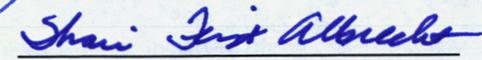
Consent Agenda

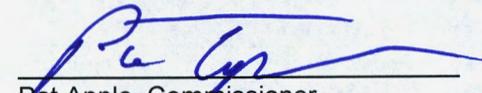
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the matter of the failure of Tailwater, Inc. to comply with K.A.R. 82-3-103 at the N. Kempnick #7-IWM, West Wittman #1-IWM, and West Wittman #3-IWM wells in Anderson County, Kansas. Order Continuing Hearing and Designating Prehearing Officer	16-CONS-3985-CPEN	
15	In the matter of the failure of Carrie Exploration & Development, LLC ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. Order Approving Settlement Agreement	16-CONS-4058-CPEN	
16	In the matter of the failure of White & Ellis Drilling, Inc. ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. Order Approving Settlement Agreement	16-CONS-4098-CPEN	
17	In the matter of the application of K3 Oil & Gas Operating Company for permission to flare more than 25 mcf casinghead gas from its Boyer 3-3 well located in the NW/4 of Section 3, Township 35 South, Range 4 West, Sumner County, Kansas. Order Granting Application	17-CONS-3010-CFLA	
18	In the matter of the application of Unit Petroleum Company for an order approving the unitization and unit operations of the Langdon Waterflood Unit in Reno County, Kansas. Order Designating Prehearing Officer & Setting Prehearing Conference	17-CONS-3012-CUNI	
19	In the matter of a Compliance Agreement between Edison Operating Company LLC and Commission Staff regarding bringing the MLP Black #5-3 well into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	17-CONS-3033-CMSC	
20	In the matter of a Compliance Agreement between MSG Resources, Inc. and Commission Staff regarding bringing 8 wells into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	17-CONS-3035-CMSC	

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

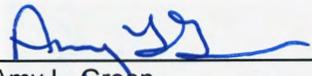
For the Commission :


Jay Scott Emler, Chairman


Shari Feist Albrecht, Commissioner


Pat Apple, Commissioner

Attest:


Amy L. Green
Secretary to the Commission