

**Kansas Corporation Commission**  
**Business Meeting**  
**September 13, 2016**  
10:00 a.m. 1<sup>st</sup> floor hearing room  
KCC Offices, 1500 Arrowhead, Topeka, Kansas

**MINUTES**

The Commission convened the regular scheduled business meeting of the Commission at 10:00 a.m. on September 13, 2016 in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Commissioner Albrecht and Commissioner Apple. Chairman Emler was not in attendance.

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 September 13, 2016 on the six page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Albrecht seconded the Motion. Motion was approved.

2. **Noticed:**

- A. **Docket No. 16-CONS-3914-CPEN: *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.***

Commissioner Apple moved for approval of order #16-2885 - *Order Continuing Hearing*. Commissioner Albrecht seconded the motion. Motion was approved.

- B. **Docket No. 16-KCPE-160-MIS: *In the Matter of Kansas City Power & Light's Application to Deploy and Operate its Proposed Clean Charge Network.***

Commissioner Apple moved for approval of order #16-2851 - *Order Denying KCP&L's Application for Approval of its Clean Charge Network Project and Electric Vehicle Charging Station Tariff*. Commissioner Albrecht seconded the motion. Motion was approved.

- C. **Docket No. 16-WHLE-305-RTS: *In the Matter of the Application of Wheatland Electric Cooperative, Inc. for Approval to Make Certain Changes in Charges for Electric Service.***

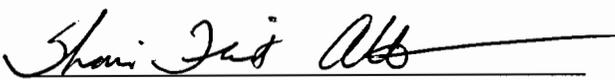
Commissioner Apple moved for approval of order #16-2822 - *Order Approving Settlement*. Commissioner Albrecht seconded the motion. Motion was approved.

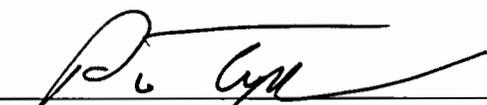
There being no further matters before the Commission, Commissioner Apple moved for adjournment of the Commission meeting. Commissioner Albrecht seconded the Motion. The Motion was granted. The Commission adjourned the September 13, 2016 Commission Meeting at 10:07 a.m.

Respectfully submitted,

  
\_\_\_\_\_  
Amy L. Green  
Secretary to the Commission

Absent  
\_\_\_\_\_  
Jay Scott Emler, Chairman

  
\_\_\_\_\_  
Shari Feist Albrecht, Commissioner

  
\_\_\_\_\_  
Pat Apple, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, September 13, 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 Cox Communications Kansas L.L.C., Filing for Kansas Video Service Authorization. <i>Order Granting Amended Video Service Authorization</i>	07-CXKC-621-VSA	
2	In the Matter of Petition of CenturyLink and Dex Media, Inc. for a Waiver of or Exemption from the Commission's Directive Regarding Distribution of Telephone Directories <i>Order Granting Joint Motion</i>	16-UTDT-568-MIS	
3	In the Matter of the Cancellation of Certificates of Convenience and Authority Previously Granted to Gold Line Telemanagement Inc. <i>Order Cancelling Certificate</i>	17-GDLC-050-CCS	
4	In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers <i>Order on Motion for Admission Pro Hac Vice of Jacob J. Schlesinger</i>	16-GIME-403-GIE	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Joint Application of Kansas Electric Power Cooperative, Inc. and Sunflower Electric Power Corporation for Approval of Amendment One to the Arkalon Wholesale Power Agreement <b>Order Adopting Staff's Report and Recommendation</b>	16-KEPE-542-CON	
6	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 <b>Order Granting Southwest Power Pool, Inc.'s Petition for Intervention</b>	17-WSEE-063-STG	
7	In the Matter of the Investigation of Continental Siding Supply, Inc. of Independence, Missouri, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation for Violation(s) of the Kansas Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Order Granting Motion to Dismiss, Waiving Civil Penalties and Closing Docket</b>	16-GIMM-586-KHP	
8	In the Matter of the Investigation of EKAN Crude LLC of Colony, 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. <b>Order Suspending Intrastate Motor Carrier Operations</b>	15-TRAM-216-PEN	
9	In the Matter of the Investigation of Aaron's Recycling, L.L.C. 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. <b>Order Suspending Intrastate Motor Carrier Operations</b>	15-TRAM-231-PEN	
10	In the Matter of the Investigation of C & D Trucking, LLC of Louisburg, 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. <b>Order Approving Stipulated Settlement Agreement</b>	17-TRAM-009-PEN	
11	In the Matter of the Investigation of Parker's Towing & Recovery, LLC of Saint Paul, 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. <b>Penalty Order</b>	17-TRAM-072-PEN	
12	In the Matter of the Investigation of Trinity Oilfield Services, Inc., d/b/a Trinity Oilfield Services of Hutchinson, 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. <b>Penalty Order</b>	17-TRAM-073-PEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Eduardo C. Arvizu, d/b/a EA Transport of Garden 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>	17-TRAM-076-PEN	
14	In the Matter of the Investigation of Carroll Cummings, d/b/a Carroll Cummings Trucking of Chanute, 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>	17-TRAM-085-PEN	
15	In the Matter of the Emergency Suspension of Operating Authority of Carlos Roberto Lopez Pineda, d/b/a CRL Construction of Prairieville, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Order Reinstating Intrastate Motor Carrier Operating Authority</i>	16-TRAM-456-OOS	
16	In the Matter of the Emergency Suspension of Operating Authority of Tracy Rosebraugh, d/b/a For The Kids Trucking of El Dorado, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-080-OOS	
17	In the Matter of the Emergency Suspension of Operating Authority of Sosa's Trucking, LLC of Garden Plain, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-081-OOS	
18	In the Matter of the Emergency Suspension of Operating Authority of SJS Transport, Inc. of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-082-OOS	
19	In the Matter of the Emergency Suspension of Operating Authority of Legend Exteriors, LLC of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-083-OOS	
20	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. <i>Order Approving Settlement Agreement</i>	16-CONS-3985-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	In the matter of the failure of Brian L. Birk dba Birk Petroleum ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. <b>Order Approving Settlement Agreement</b>	16-CONS-4055-CPEN	
22	In the matter of the failure of Edward E. Birk ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. <b>Order Approving Settlement Agreement</b>	16-CONS-4056-CPEN	
23	In the matter of an Order to Show Cause issued to John M. Denman Oil Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <b>Default Order</b>	16-CONS-4111-CSHO	
24	In the matter of the application of Pintail Petroleum Ltd. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kleeman 2A well located in C S2 SW/4 of Section 36, Township 22 South, Range 36 West, Kearny County, Kansas. <b>Order Closing Docket</b>	16-CONS-4048-CEXC	
25	In the matter of the application of Jack W. McFadden dba McFadden Oil Co., for an UIC order permitting injection of saltwater in one well on the Bowen Lease in Allen County. <b>Order Denying Motion and Closing Docket</b>	16-CONS-4052-CUIC	
26	In the matter of the application of Kent A. Deutsch, D/B/A Deutsch Oil Company and Globe Operating, Inc., for a well location exception for the Morrison A, Morrison B, and Batman Morrison #1 wells in E/2 NE/4 of Section 28-21-13, Stafford County, Kansas. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3026-CWLE	
27	In the matter of a Compliance Agreement between Edison Operating Company LLC and Commission Staff regarding bringing the Linda Sue #1-9 well into compliance with K.A.R. 82-3-111. <b>Order Approving Compliance Agreement</b>	17-CONS-3089-CMSC	
28	In the matter of the failure of Rains & Williamson Oil Co., Inc. ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. <b>Order Designating Prehearing Officer</b>	16-CONS-4086-CPEN	
29	In the matter of the failure of Raney Oil Company, LLC ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. <b>Order Designating Prehearing Officer</b>	16-CONS-4087-CPEN	
30	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. <b>Order Designating Prehearing Officer</b>	16-CONS-3914-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
31	In the matter of the failure of Asher Associates, Inc. ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Asher Associates, Inc.</i>	17-CONS-3092-CPEN	
32	In the matter of the failure of Donke Oil & Gas, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Donke Oil &amp; Gas, LLC</i>	17-CONS-3093-CPEN	
33	In the matter of the failure of Exodus Gas & Oil LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Exodus Gas &amp; Oil LLC</i>	17-CONS-3095-CPEN	
34	In the matter of the failure of FNA Oil Company, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - FNA Oil Company, LLC</i>	17-CONS-3096-CPEN	
35	In the matter of the failure of Harvey L. Young ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Harvey L. Young</i>	17-CONS-3097-CPEN	
36	In the matter of the failure of S & S Oil and Gas LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - S &amp; S Oil and Gas LLC</i>	17-CONS-3098-CPEN	

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

For the Commission :

Absent

Jay Scott Emler, Chairman

Shari Feist Albrecht

Shari Feist Albrecht, Commissioner

Pat Apple

Pat Apple, Commissioner

Attest:

Amy L. Green

Amy L. Green  
Secretary to the Commission