

Kansas Corporation Commission
Commission Meeting
September 15, 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 September 15, 2016 in the 1st 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 requested no action to be taken on Item #14: Docket No. 17-CONS-3094-CPEN Penalty Order – Michael Bergman. Commissioner Apple moved for approval of all remaining items on the Consent Agenda: All other listed matters as presented for September 15, 2016 on the three 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 Apple moved for approval of order #16-2891 - *Order Granting Motions for Admission Pro Hac Vice of Robbins, Roby and Harper*. Commissioner Albrecht seconded the motion.

The motion was approved.

- B. **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 Apple moved for approval of order #16-2892 - *Order Granting Intervention to KMEA, Independence, and KMU*. Commissioner Albrecht seconded the motion.

The motion was approved.

- C. **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 Apple moved for approval of order #16-2890 - *Order Granting Motion for Admission Pro Hac Vice of Ottinger, Holmboe and Bond*. Commissioner Albrecht seconded the motion.

The motion was approved.

- D. **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 Apple moved for approval of order #16-2887 - *Order Granting the Petition to Intervene of Wal-Mart Stores, Inc.* Commissioner Albrecht seconded the motion.

The motion was approved.

- E. **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 Apple moved for approval of order #16-2889 - *Order Granting Intervention to Kansas City, KS Board of Public Utilities.* Commissioner Albrecht seconded the motion.

The motion was approved.

- F. **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 Apple moved for approval of order #16-2888 - *Order Denying Brightergy's Petition to Intervene.* Commissioner Albrecht seconded the motion.

The motion was approved.

- G. **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 Apple moved for approval of order #16-2886 - *Order Granting Intervention to IBEW, Local Unions No. 412, 1464, and 1613.* Commissioner Albrecht seconded the motion.

The motion was approved.

- H. **Docket No. 16-GIME-576-GIE: *In the Matter of a General Investigation of Kansas City Power & Light Company's All Electric Residential Rates.***

Commissioner Albrecht asked to pass over the order #16-2881 - *Procedural Order.* There was no objection.

- I. **Docket No. 15-TKOG-236-COM: *In the Matter of the Complaint Against Texas-Kansas Oklahoma Gas, LLC for an Order for Adjustment and Refund of Unfair, Unreasonable and Unjust Rates for the Sale of the Natural Gas for Irrigation Based on Inaccurate and/or False Pressure Base Measurements, By Circle H Farms, LLC, Richard L. Hanson, Rome Farms, and Stegman Farms Partnership.***

Commissioner Albrecht asked to pass over the order #16-2895 - *Order on Motions to Compel.* There was no objection.

- J. Docket No. 16-CONS-4087-CPEN: *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.*

Commissioner Apple moved for approval of order #16-2894 - *Order Denying Motion to Dismiss and Rescind Penalty Order*. Commissioner Albrecht seconded the motion.

The motion was approved.

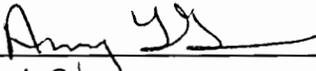
- K. Docket No. 16-CONS-4086-CPEN: *In the matter of the failure of Rains & Williamson Oil Co., Inc. ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year.*

Commissioner Apple moved for approval of order #16-2893 - *Order Denying Motion to Dismiss and Rescind Penalty Order*. Commissioner Albrecht seconded the motion.

The 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 September 15, 2016 Commission Meeting at 10:10 a.m.

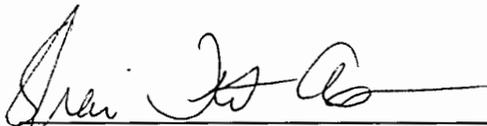
Respectfully submitted,



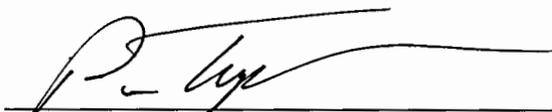
Amy L. Green
Secretary to the Commission

Absent

Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, September 15, 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 Southwestern Bell Telephone, L.P., Filing for Kansas Video Service Authorization. <i>Order Amending Video Service Authorization</i>	07-SWBT-355-VSA	
2	In the Matter of the Application of Knology of Kansas, Inc., d/b/a Knology, Filing for Kansas Video Service Authorization. <i>Order Amending Video Service Authorization</i>	11-KKIC-181-VSA	
3	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Infotelecom, LLC. <i>Order Approving Modified Interconnection Agreement</i>	10-SWBT-452-IAT	
4	In the Matter of the Application of CallCatchers Inc. d/b/a Freedom Voice Systems for Certificate of Public Convenience and Authority to Provide Interexchange Services within the State of Kansas <i>Order and Certificate</i>	16-CCRT-590-COC	
5	In the Matter of Home Telephone Company Filing Tariff Revisions to Bundled Services Changes. <i>Order Approving Tariff Revisions</i>	17-HOMT-070-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
6	In the Matter of the Application of Westar Energy, Inc. for Certificate Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in a Portion of Section 7, Township 13 South, Range 17 East, in Shawnee County Kansas <i>Certificate</i>	16-WSEE-577-COC	
7	In the Matter of the Application of Kaw Valley Electric Cooperative to Cease Transacting the Business of an Electric Public Utility in the E ½ of W ½ of NE ¼ of S 07 – T 13S – R 17E in Shawnee County, Kansas. <i>Order</i>	17-KWVE-071-CCS	
8	In the Matter of the Complaint Against Kansas City Power & Light Company by Mr. and Mrs. Jeffrey D. Bein <i>Order Closing Docket</i>	17-KCPE-035-COM	
9	In the Matter of the Complaint Against Kansas Gas Company by Mike Allen <i>Order Adopting Legal Memorandum</i>	17-KGSG-086-COM	
10	In the Matter of the Emergency Suspension of Operating Authority of Jorge Hernandez of Kansas City, 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-089-OOS	
11	In the Matter of the Emergency Suspension of Operating Authority of Miguel Silva, d/b/a Traviesos SLP of Liberal, 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-090-OOS	
12	In the Matter of the Emergency Suspension of Operating Authority of Sealock, Inc. of Hoxie, 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-091-OOS	
13	In the Matter of the Investigation of Bluestem Stoneworks, Inc., d/b/a Bluestem Quarry and Stone Works of Lucas, 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-087-PEN	
14	In the matter of the failure of Michael Bergman ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Michael Bergman</i>	17-CONS-3094-CPEN	✓
15	In the matter of the failure of Hess Oil Company ("Operator") to comply with K.A.R. 82-3-400 regarding injection that took place during the 2015 calendar year. <i>Order Approving Settlement Agreement</i>	16-CONS-4072-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Clearwater #2 in Butler County, Kansas. <i>Penalty Order - Benjamin M. Giles</i>	17-CONS-3100-CPEN	
17	In the matter of the application of Beren Corporation for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Piper A #2 well located in the SW NE NW of Sec 35, Township 27 South, Range 40 West, Stanton County, Kansas. <i>Order Granting Application</i>	17-CONS-3041-CEXC	

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