

Kansas Corporation Commission
Business Meeting
October 11, 2016
10:00 a.m. 1st 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 October 11, 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 Albrecht moved for approval of the Consent Agenda: All other listed matters as presented for October 11, 2016 on the six page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Apple seconded the Motion. The motion was approved.

2. **Noticed:**

- A. **Docket No. 16-ITCE-512-ACQ: *In the Matter of the Joint Application of ITC Great Plains, LLC, and its Parent Company, ITC Holdings Corp., Together With Fortis Inc., Fortis US Inc., ITC Investment Holdings Inc. and Element Acquisition Sub, Inc. for Order Approving the Acquisition by Fortis Inc. of the Majority of All Classes of the Stock of ITC Holdings Corp., and its Subsidiary Companies, Including ITC Great Plains, LLC.***

Commissioner Albrecht moved for approval of order #16-3199 *Order Approving the Transaction with Conditions*. Commissioner Apple seconded the motion. The motion was approved.

3. **Other matters:**

- A. **FERC Matter:** Presenter Michael Duenes, Assistant General Counsel.

Commissioner Albrecht moved the Commission authorize FERC counsel to submit a comment to Judge Carmen Cintron's August 30, 2016, Notice regarding settlement negotiations before FERC Administrative Law Judges. Commissioner Apple seconded the motion. The motion was approved.

- B. Chair 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 20 minutes. Also called into the Executive Session was Brian Fedotin, Deputy General Counsel and Dustin Kirk, Deputy General Counsel. Commissioner Apple seconded. The motion was approved.

The Commission moved into Executive Session at 10:07 a.m. and reconvened in public session at 10:27 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 granted. The Commission adjourned the October 11, 2016 Commission Meeting at 10:28 a.m.

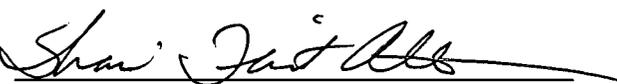
Respectfully submitted,



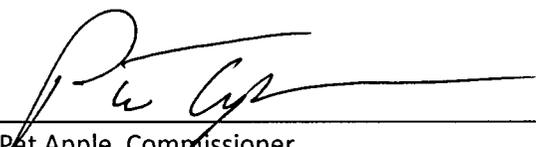
Amy L. Green
Secretary to the Commission



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, October 11, 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 WTC Communications Inc. Filing for Kansas Video Service Authorization. <i>Order Amending Video Service Authorization</i>	08-WCMC-963-VSA	
2	In the Matter of an Investigation to Determine the Assessment Rate for the Eighteenth Year of the Kansas Universal Service Fund, Effective March 1, 2014. <i>Order Accepting Revised Final Report</i>	14-GIMT-105-GIT	
3	In the Matter of an Investigation to Address CenturyLink's CAF II and KUSF Support. <i>Order</i>	16-GIMT-511-GIT	
4	In the Matter of the Application of eNetworks, LLC for a Certificate of Convenience and Authority to Provide Local Exchange and Exchange Access Service Within the State of Kansas <i>Order and Certificate</i>	17-ENWT-015-COC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Mobilitie Management, LLC for a Certificate of Convenience and Authority To Provide Non-Switched Local Transport Service Within the State of Kansas Order Approving Certificate of Convenience Application	16-MBMT-471-COC	
6	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Easton Telecom Services, L.L.C. Order Approving Interconnection Agreement	17-SWBT-064-IAT	
7	In Matter of Formal Complaint Against Westar Energy by Sandra Nelson Order Adopting Legal Memorandum	17-WSEE-112-COM	
8	In the Matter of a General Investigation of Kansas City Power & Light Company's All Electric Residential Rates. Order Granting CURB's Petition to Intervene	16-GIME-576-GIE	
9	In the Matter of the Application of Atmos Energy for an Order to Permit the Company Establish Rates for a Weather Normalization Adjustment. Order Approving Weather Normalization Adjustment Factor	03-ATMG-539-TAR	
10	In the Matter of the Application of Kansas Gas Service, a Division of ONEOK, Inc. for Approval of a Hedge Program for Gas Purchased for the Winter Heating Season. Protective Order	05-KGSG-580-HED	
11	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, to Amend its Service Fees Tariff to Reduce Fees Charged by Vendor for Credit, Debit and ATM Card Payments Order Adopting Staff's Report and Recommendation	16-BHCG-591-TAR	
12	In the Matter of the Emergency Suspension of Operating Authority of Twisted Piston Transport, LLC of Sharon, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	16-TRAM-124-OOS	
13	In the Matter of the Emergency Suspension of Operating Authority of Collins Omondi, d/b/a DJO Trucking of Derby, 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	17-TRAM-107-OOS	
14	In the Matter of the Emergency Suspension of Operating Authority of 1Point Connect, Inc. 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	17-TRAM-115-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Emergency Suspension of Operating Authority of Evergreen Living Innovations, Inc. of Olathe, 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	17-TRAM-118-OOS	
16	In the Matter of the Emergency Suspension of Operating Authority of Nanda Delivery, 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	17-TRAM-119-OOS	
17	In the Matter of the Investigation of Carlos E. Ramon-Barzola, d/b/a CRT 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. Order Suspending Intrastate Motor Carrier Operations	15-TRAM-496-PEN	
18	In the Matter of the Investigation of Danie's Moving and Storage, Inc. 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. Order Granting Staff's Motion to Dismiss Respondent's Request for Hearing	16-TRAM-295-PEN	
19	In the Matter of the Investigation of Charles E. Isle, d/b/a Isle Fencing 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. Penalty Order	17-TRAM-113-PEN	
20	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. Penalty Order	17-TRAM-108-PEN	
21	In the Matter of the Investigation of Diamond Transfer & Distribution Co. of Salina, 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	17-TRAM-110-PEN	
22	In the matter of a Compliance Agreement between NPF Energy Corporation and Commission Staff regarding bringing the Imm #4 well into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	17-CONS-3133-CMSC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the matter of a Compliance Agreement between Keith Owens dba Owens Oil and Commission Staff regarding bringing seven wells in Allen County into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	17-CONS-3134-CMSC	
24	In the matter of the failure of Edmiston Oil Company, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Whisman F #8 in Rooks County, Kansas. Penalty Order - Edmiston Oil Company, Inc.	17-CONS-3135-CPEN	
25	In the matter of the failure of JBM Oil, LLC ("Operator") to comply with K.A.R. 82-3-407 at the South Moldenhauer #W-7 and South Moldenhauer #W-57 in Franklin County, Kansas. Penalty Order - JBM Oil, LLC	17-CONS-3136-CPEN	
26	In the matter of the failure of Larry McClelland dba McClelland Oil ("Operator") to comply with K.A.R. 82-3-407 at the Borst #2 in Greenwood County, Kansas. Penalty Order - Larry McClelland dba McClelland Oil	17-CONS-3137-CPEN	
27	In the matter of the failure of The Raven Company LLC ("Operator") to comply with K.A.R. 82-3-407 at the Allen#19 in Montgomery County, Kansas. Penalty Order - The Raven Company LLC	17-CONS-3139-CPEN	
28	In the matter of the failure of Exodus Gas & Oil LLC ("Operator") to comply with K.A.R. 82-3-120. Order Designating Prehearing Officer and Setting Prehearing Conference	17-CONS-3095-CPEN	
29	In the matter of the failure of Parwest Land Exploration, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Big Basin #3 in Clark County, Kansas. Penalty Order - Parwest Land Exploration, Inc.	17-CONS-3141-CPEN	
30	In the matter of the failure of Toil 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-4095-CPEN	
31	In the matter of an Order to Show Cause issued to Bradley S. Leach dba Leach Well Pulling ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order Closing Docket	17-CONS-3073-CSHO	
32	In the matter of an Order to Show Cause issued to Dwight E. Neubecker ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order Approving Settlement Agreement	17-CONS-3078-CSHO	

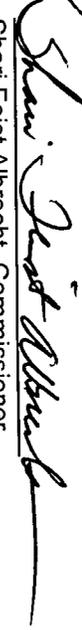
Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
33	In the matter of an Order to Show Cause issued to IGWT, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for Wernli #5, #7, #8 and #9 wells on the Wernli lease in Greenwood County, Kansas. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	17-CONS-3099-CSHO	
34	In the matter of the Application of Carrie Exploration & Development, LLC for Assignment of Allowable for the Max Wells H-1 & Max Wells C-2 Wellbores in and under: the Lot 1, the East One-half (E/2) and the Northwest (NW/4) of the Northwest Quarter (NW/4) of Section Thirty-five (35), Township Twenty (20) South, Range Ten (10) West of the 6th Principal Meridian; and the East One-half (E/2) of Section Thirty-four (34), Township Twenty (20) South, Range Ten (10) West, lying North of the Arkansas River Bed, in Rice County, Kansas. <i>Order Granting Application</i>	17-CONS-3048-CWLE	

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