

Kansas Corporation Commission
Commission Meeting
November 1, 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 November 1, 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 November 1, 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. 14-WSEE-148-TAR: In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of Revisions to Their General Terms and Conditions to Implement an Optional Prepay Service Pilot Program.**

Commissioner Albrecht moved for approval of order #16-3362 - *Order on Joint Motion for Extension of Prepay Pilot Program* after striking the last sentence in the tenth paragraph and the last sentence in paragraph B in the Commission's Order which stated, "Westar is expected to make a presentation to the Commission on the report at the Commission's November 17, 2016 business meeting." and "Westar should be prepared to make a presentation to the Commission on the report at the Commission's business meeting scheduled for November 17, 2016." respectively. Commissioner Emler seconded the motion.

The motion was approved.

- B. **Docket No. 16-CONS-4132-CEXC: In the matter of the application of Becker Oil Corporation for an exemption to the 10 year time limitation of K.A.R. 82-3-111 for its # 1 Durler well, API #15-083-21512-00-00, located in the NW/4 of Section 32, Township 32 South, Range 22 West, Hodgeman County, Kansas.**

Commissioner Apple moved for approval of order #16-3323 - *Order on Motion to Dismiss*. Commissioner Albrecht seconded the motion.

The motion was approved.

C. Docket No. 17-KCPE-116-TAR: In the Matter of Kansas City Power & Light Company Seeking Commission Approval to Implement Changes in their Transmission Delivery Charges Rate Schedules.

Commissioner Apple moved for approval of order #16-3342 - *Order Acknowledging Effective Date of Transmission Deliver Charge Subject-To-Refund Pursuant to KSA 66-1237*. Commissioner Albrecht seconded the motion.

The motion was approved.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting. Commissioner Apple seconded the motion. The motion was approved. The Commission adjourned the November 1, 2016 Commission Meeting at 10:16 a.m.

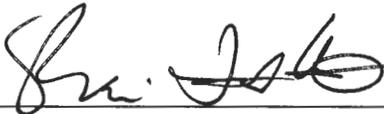
Respectfully submitted,



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, November 1, 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 Nunc Pro Tunc Correcting Order</i>	07-CXKC-621-VSA	
2	In the Matter of a General Investigation to Address Issues Concerning the Kansas Lifeline Service Program. <i>Order Nunc Pro Tunc Correction Citation</i>	16-GIMT-575-GIT	
3	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 Twenty-First Year of the Kansas Universal Service Fund, Effective March 1, 2017. <i>Order Approving Traffic Factors for AT&T Mobility</i>	17-GIMT-008-GIT	
4	In the Matter of the Application for Approval of an Interconnection, Collocation and Resale Agreement Between United Telephone Company of Eastern Kansas d/b/a CenturyLink; United Telephone Company of Kansas d/b/a CenturyLink; United Telephone Company of Southcentral Kansas d/b/a CenturyLink; Embarq Missouri, Inc. d/b/a CenturyLink and Comcast Phone of Kansas, LLC d/b/a Comcast Digital Phone Pursuant to the Telecommunications Act of 1996 <i>Order Approving Interconnection Agreement Modification</i>	17-UTDT-077-IAT	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the General Investigation of Atmos Energy Corporation Regarding its Operations Near Johnson City, Hamilton County, Kansas. Order Opening General Investigation	17-ATMG-137-GIP	
6	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. Order Granting Motion for Admission Pro Hac Vice of Adragna and Frank	16-KCPE-593-ACQ	
7	In the Matter of the Application of Southern Pioneer Electric Company for Approval to Make Certain Changes in its Irrigation Service Schedule in the Geographic Service Territory Served by Southern Pioneer Electric Company. Discovery and Protective Order	17-SPEE-129-TAR	
8	In the Matter of the Investigation of CD Custom Enterprises, LLC of Netwon, 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-131-PEN	
9	In the Matter of the Investigation of Kathleen A. Twombly, LLC of Highland, 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-134-PEN	
10	In the Matter of the Investigation of Talent On Parade, LLC of Haysville, 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-142-PEN	
11	In the Matter of the Emergency Suspension of Operating Authority of Miguel A. Rayas, d/b/a Tres Hermanos of Liberal, 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-213-OOS	
12	In the Matter of the Emergency Suspension of Operating Authority of Red Castle, LLC of Hesston, 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-132-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Murray Concrete Construction, LLC of Paola, 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. Emergency Suspension of Operating Authority Order	17-TRAM-135-OOS	
14	In the Matter of the Emergency Suspension of Operating Authority of Susan Lewellen, d/b/a EEE Amusements of Andover, 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-138-OOS	
15	In the Matter of the Emergency Suspension of Operating Authority of Jose Samuel Lares Garcia, d/b/a SLG Auto Sales of Dodge 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-140-OOS	
16	In the Matter of the Application of R.T. Enterprises of Kansas, Inc. for Multiple Well Location Exceptions for Wells Upon the Pearson and Finnerty Leases Located in Section 11, Township 15 South, Range 20 East in Douglas County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	14-CONS-550-CWLE	
17	In the matter of the failure of Viking Resources, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Coberly #14-10 in Gove County, Kansas. Penalty Order - Viking Resources, Inc.	17-CONS-3328-CPEN	
18	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Ray #A-1, Ray C #1, Ray C #2 and Seidl #1 OWWO wells in Butler County, Kansas. Penalty Order - Benjamin M. Giles	17-CONS-3329-CPEN	
19	In the matter of the failure of Hummon Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Swarner #1-9 and Swarner #3-9 wells in Comanche County, Kansas. Penalty Order - Hummon Corporation	17-CONS-3330-CPEN	
20	In the matter of the failure of Texas Coastal Operating Company LLC ("Operator") to comply with K.A.R. 82-3-111 at the Schlegel #3, Schlegel #4, Schlegel #5 and Schlegel #7 wells in Rush County, Kansas. Penalty Order - Texas Coastal Operating Company LLC	17-CONS-3331-CPEN	
21	In the matter of the failure of One Source Financial Services Inc. ("Operator") to comply with K.A.R. 82-3-111 at seven wells in Cheyenne County, Kansas. Penalty Order - One Source Financial Services Inc.	17-CONS-3333-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
22	In the matter of the failure of D Oil, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Younger B #4 in Ellis County, Kansas. Penalty Order - D Oil, Inc.	17-CONS-3334-CPEN	
23	In the matter of the failure of NPF Energy Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Joseph C #1 in Butler County, Kansas. Penalty Order - NPF Energy Corporation	17-CONS-3335-CPEN	
24	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 #11 in Greenwood County, Kansas. Penalty Order - Larry McClelland dba McClelland Oil	17-CONS-3336-CPEN	
25	In the matter of the failure of Kermit and Tracy Schmidt ("Operator") to comply with K.A.R. 82-3-117 at the Krehbiel #6 well in McPherson County, Kansas. Penalty Order - Kermit and Tracy Schmidt	17-CONS-3339-CPEN	
26	In the matter of the failure of Concorde Resources Corporation ("Operator") to comply with K.A.R. 82-3-602 at the McDaniel #1-12 well in Logan County, Kansas. Penalty Order - Concorde Resources Corporation	17-CONS-3340-CPEN	
27	In the matter of the failure of StrataKan Exploration, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Beagley #2-1 well in Logan County, Kansas. Penalty Order - StrataKan Exploration, LLC	17-CONS-3341-CPEN	
28	In the matter of the failure of Concorde Resources Corporation ("Operator") to comply with K.A.R. 82-3-608 at the McDaniel #1-12 well in Logan County, Kansas. Penalty Order - Concorde Resources Corporation	17-CONS-3342-CPEN	
29	In the matter of the failure of Prolific Resources LLC ("Operator") to comply with K.A.R. 82-3-608 at the Randy Rose #1 well in Logan County, Kansas. Penalty Order - Prolific Resources LLC	17-CONS-3343-CPEN	
30	In the matter of the failure of SCZ Resources, LLC ("Operator") to comply with K.A.R. 82-3-608 at the New Cannon #NC-2, New Cannon #NC-4 and New Cannon #NC-5 wells in Allen County, Kansas. Penalty Order - SCZ Resources, LLC	17-CONS-3344-CPEN	
31	In the matter of the failure of Wilson County Holdings LLC ("Operator") to comply with K.A.R. 82-3-608 at the Wilson County Holdings #TL4-227 and Wilson County Holdings #TL 5-135 wells in Wilson County, Kansas. Penalty Order - Wilson County Holdings LLC	17-CONS-3345-CPEN	

Consent Agenda

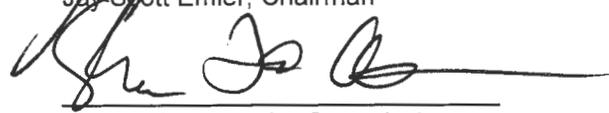
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
32	In the matter of the failure of Maier Well Service, Inc. ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Maier Well Service, Inc.</i>	17-CONS-3346-CPEN	
33	In the matter of the failure of Mike Becker ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Mike Becker</i>	17-CONS-3347-CPEN	
34	In the matter of the failure of Gary D. Tidd ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Gary D. Tidd</i>	17-CONS-3348-CPEN	
35	In the matter of the failure of Marvin E. Boyer Marital Trust ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Marvin E. Boyer Marital Trust</i>	17-CONS-3349-CPEN	
36	In the matter of the failure of Blue Steel Investments, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order Blue Steel Investments, LLC</i>	17-CONS-3350-CPEN	
37	In the matter of the failure of OPEF Partnership, a General Partnership ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - OPEF Partnership, a General Partnership</i>	17-CONS-3351-CPEN	
38	In the matter of the failure of Exchange Avenue Production Co., Gen Ptnrshp ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Exchange Avenue Production Co., Gen Ptnrshp</i>	17-CONS-3352-CPEN	
39	In the matter of the failure of Larry J. Bitner ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Larry J. Bitner</i>	17-CONS-3353-CPEN	
40	In the matter of the failure of Tom Greer ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Tom Greer</i>	17-CONS-3354-CPEN	
41	In the matter of the failure of Chris Melander dba Chris Melander Drilling ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Chris Melander dba Chris Melander Drilling</i>	17-CONS-3355-CPEN	

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