

**Kansas Corporation Commission**  
**Commission Meeting**  
**November 17, 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 open meeting of the Commission at 10:00 a.m. on November 17, 2016 in the 1<sup>st</sup> 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 17, 2016 on the eight page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Apple seconded the motion.

The motion was approved.

2. **Other matters:**

- A. Chairman Emler moved to meet in Executive Session for Personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved, for a period of 10 minutes. Also called into the Executive Session was Jared Harsin, Director of Human Resources. Commissioner Apple seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:02 a.m. and reconvened in public session at 10:12 a.m.

The Commission took no action following the Executive Session.

**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 17, 2016 Commission Meeting at 10:13 a.m.**

Respectfully submitted,

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

  
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Jay Scott Emler, Chairman

  
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Shari Feist Albrecht, Commissioner

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



# ITEMS OF Consent Agenda

Approval Date: Thursday, November 17, 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 Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, to Amend its Line Extension Tariff to Allow for a Financing Provision Related to Non-Refundable Contribution in Aid of Construction <i>Order Dismissing Application Without Prejudice</i>	16-BHCG-293-TAR	
2	In the Matter of ONEOK NGL Pipeline, L.L.C. K.C.C. No. 10.1, Cancellation of Proportional Tariff <i>Suspension Order</i>	17-ONEP-186-TAR	
3	In the Matter of the Investigation of Reddi Industries, 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. <i>Penalty Order</i>	17-TRAM-189-PEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Investigation of J.M.D., Inc. of Bucyrus, 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-192-PEN	
5	In the Matter of the Emergency Suspension of Operating Authority of Jamhuri Logistics LLC of Overland Park, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	17-TRAM-199-OOS	
6	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. <b>Order Granting Intervention and Protestant Status</b>	17-CONS-3012-CUNI	
7	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. <b>Order Designating New Prehearing Officer and Setting Prehearing Conf.</b>	17-CONS-3012-CUNI	
8	In the matter of the failure of David W. Lee dba DWL Family LLC ("Operator") to comply with K.A.R. 82-3-120. <b>Order Rescinding Penalty</b>	17-CONS-3120-CPEN	
9	In the matter of the failure of Sirius Energy Corp. ("Operator") to comply with K.A.R. 82-3-407 at 15 wells on the Parks, Craig, Katzer, Sartin and Vilmer Leases in Anderson and Neosho Counties, Kansas. <b>Penalty Order - Sirius Energy Corp.</b>	17-CONS-3367-CPEN	
10	In the matter of the failure of William G. Smith Oil, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Nolin #27, Nolin #31 and Nolin #32 in Linn County, Kansas. <b>Penalty Order - William G. Smith Oil, LLC</b>	17-CONS-3368-CPEN	
11	In the matter of the failure of Blue Top Energy LLC ("Operator") to comply with K.A.R. 82-3-407 at the Farris #I-5 in Neosha County, Kansas. <b>Penalty Order - Blue Top Energy LLC</b>	17-CONS-3369-CPEN	
12	In the matter of the failure of Pickrell Drilling Company, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Dehner - A #3 in Rush County, Kansas. <b>Penalty Order - Pickrell Drilling Company, Inc.</b>	17-CONS-3371-CPEN	
13	In the matter of the failure of Exodus Gas & Oil LLC ("Operator") to comply with K.A.R. 82-3-120. <b>Default Order</b>	17-CONS-3095-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Clearwater #2 and Clearwater #5 wells in Butler County, Kansas. <b>Order Designating Prehearing Conference and Setting Prehearing Conference</b>	17-CONS-3100-CPEN	
15	In the matter of the failure of Roger Krier dba Krier Oil Operation ("Operator") to comply with K.A.R. 82-3-600 and K.A.R. 82-3-603 at the Eichman Tank Battery in Russell County, Kansas. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3105-CPEN	
16	In the Matter of the Notice of Denial of License Renewal Application issued to Champ Petroleum LLC <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3363-CMSC	
17	In the matter of a Compliance Agreement between Roxanna Pipeline, Inc. and Commission Staff regarding bringing 59 wells into compliance with K.A.R. 82-3-111. <b>Order Adding Well to Compliance Agreement</b>	16-CONS-4024-CMSC	
18	In the matter of the application of Beren Corporation for a third exception to the 10 year time limitation of K.A.R. 82-3-111 for its Sterling #4 well located in the N/2 NW NW NE of Sec 5, Township 35 South, Range 12 West, Barber County, Kansas. <b>Order Granting Application</b>	17-CONS-3356-CEXC	
19	In the matter of the application of Berexco LLC for a second exception to the 10-year time limitation of K.A.R. 82-3-111 for its Lahey G #2-20 well located in the NE SE SW SW of Sec 20, T31S, R34W Seward County, Kansas. <b>Order Granting Application</b>	17-CONS-3357-CEXC	
20	In the matter of the application of Berexco LLC for a third exception to the 10-year time limitation of K.A.R. 82-3-111 for its Loeppke #2-11 well located in the W/2 SW SW of Sec 11, T24S, R37W, Kearny County, Kansas. <b>Order Granting Application</b>	17-CONS-3358-CEXC	
21	In the Matter of the Application of Pioneer Telephone Association for Approval of Lifeline Tariff Changes as Required by the Commission's October 18 Order <b>Order Approving Tariff Revisions</b>	17-PNRT-143-TAR	
22	In the Matter of the Application of S&A Telephone Company for Approval of Lifeline Tariff Changes in Response to the Commission's October 18 Order in Docket 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-S&AT-144-TAR	
23	In the Matter of the Application of Golden Belt Telephone Association Filing Lifeline Tariff Revisions In Accordance with the Commission's October 18 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-GNBT-145-TAR	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the Matter of the Application of Haviland Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-HVDT-148-TAR	
25	In the Matter of the Application of Craw-Kan Telephone Cooperative for Approval of Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-CRKT-149-TAR	
26	In the Matter of the Application of KanOkla Telephone Association for Approval of Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-KOKT-150-TAR	
27	In the Matter of the Application of Tri-County Telephone Association Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT. <b><i>Order Approving Tariff Revisions</i></b>	17-TRCT-151-TAR	
28	In the Matter of the Application of United Telephone Association Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-UTAT-152-TAR	
29	In the Matter of the Application of JBN Telephone Company Filing Lifeline Tariff Revisions in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-JBNT-153-TAR	
30	In the Matter of the Application of The Southern Kansas Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-SNKT-155-TAR	
31	In the Matter of the Application of Mutual Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-MTLT-156-TAR	
32	In the Matter of Cunningham Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT. <b><i>Order Approving Tariff Revisions</i></b>	17-CNHT-161-TAR	
33	In the Matter of Elkhart Telephone Company Filing Lifeline Tariff Revisions in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b><i>Order Approving Tariff Revisions</i></b>	17-ELKT-162-TAR	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
34	In the Matter of the Application of Gorham Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-GRHT-163-TAR	
35	In the Matter of the Application of Home Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-HOMT-164-TAR	
36	In the Matter of the Application of LaHarpe Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-LHPT-165-TAR	
37	In the Matter of the Application of MoKan Dial, Inc. for Approval of Lifeline Tariff Changes in Accordance with the Commissions October 18, 2016 Order in Docket No. 16-GIMT-575-GIT. <i>Order Approving Tariff Revisions</i>	17-MKNT-166-TAR	
38	In the Matter of the Application of Moundridge Telephone Company Filing Lifeline Tariff Revisions in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-MRGT-167-TAR	
39	In the Matter of the Application of Rainbow Telecommunications Association Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-RNBT-169-TAR	
40	In the Matter of the Application of S&TT Telephone Cooperative Association Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-S&TT-170-TAR	
41	In the Matter of the Application of South Central Telephone Association Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-SCNT-171-TAR	
42	In the Matter of the Application of Peoples Telecommunications, LLC Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-PLTT-174-TAR	
43	In the Matter of the Application of Wheat State Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-WHST-175-TAR	

**Consent Agenda**

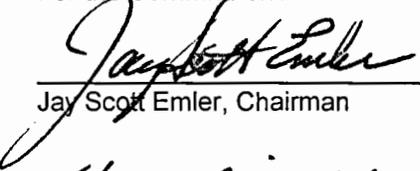
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
44	In the Matter of the Application of Wamego Telecommunications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-WTCT-176-TAR	
45	In the Matter of the Application of H&B Communications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-H&BT-177-TAR	
46	In the Matter of the Application of Wilson Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-WLST-178-TAR	
47	In the Matter of the Application of FairPoint Communications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-FCMT-179-TAR	
48	In the Matter of the Application of Blue Valley Tele-Communications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-BLVT-180-TAR	
49	In the Matter of the Application of Zenda Telephone Company Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-ZENT-181-TAR	
50	In the Matter of the Application of Bluestem Telephone Company d/b/a FairPoint Communications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-BSTT-182-TAR	
51	In the Matter of the Application of Sunflower Telephone Company, Inc. d/b/a FairPoint Communications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-SFLT-183-TAR	
52	In the Matter of the Application of Totah Communications Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-TTHT-184-TAR	
53	In the Matter of the Application of United Telephone Companies of Kansas d/b/a CenturyLink Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <b>Order Approving Tariff Revisions</b>	17-UTDT-190-TAR	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
54	In the Matter of the Application of Madison Telephone, LLC Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-MDTT-191-TAR	
55	In the Matter of the Application of Columbus Communications Services Filing Lifeline Tariff Changes in Accordance with the Commission's October 18, 2016 Order in Docket No. 16-GIMT-575-GIT <i>Order Approving Tariff Revisions</i>	17-COST-196-TAR	
56	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. <i>Order Reinstating Motor Carrier Operating Authority</i>	17-TRAM-119-OOS	
57	In the Matter of the Investigation of Philip Dickson of Preston, 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-159-PEN	
58	In the Matter of the Investigation of Flying J Trucking LLC of Thayer, 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-168-PEN	
59	In the Matter of the Investigation of Countryside Excavating, Inc. of Moundridge, 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-172-PEN	
60	In the Matter of the Investigation of Savannah Traders LLC of Overland Park, 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-173-PEN	
61	In the Matter of the Investigation of Keller Trucking, LLC 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. <i>Penalty Order</i>	17-TRAM-202-PEN	

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