

Kansas Corporation Commission
Commission Meeting
December 22, 2016
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on December 22, 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:** Request to move Item #11; Docket No. 17-FORP-219-SHO: *In the Matter of the City of Ford, Kansas, Regarding Violations of Kansas Pipeline Safety Regulation 49 CFR Part 192 as Adopted by K.A.R. 82-11-4, and a Violation of K.A.R. 82-11-6) to a Noticed Item.* Commissioner Albrecht moved for approval of the remaining items on the Consent Agenda: All other listed matters as presented for December 22, 2016 on the four 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. 17-KGSG-218-GIP:** *In the Matter of the General Investigation Into Operations of Kansas Gas Services Regarding the Natural Gas Incident that Occurred at 9th Street and Magnolia Avenue in Salina, Saline County, Kansas.*

Commissioner Albrecht moved for approval of order #16-3915 - *Order Opening General Investigation.* Commissioner Apple seconded the motion.

The motion was approved.

- B. **Docket No. 15-KCPE-544-COM:** *In the Matter of the Complaint Against Kansas City Power & Light Company by Stephen and Karen Gradwohl.*

Chairman Emler had a request to pass over this item until January 10, 2017.

- C. **Docket No. 16-TRAM-548-PEN:** *In the Matter of the Investigation of Pine Landscape Center LLC of Lawrence, 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.*

Chairman Emler had a request to pass over this item until January 19, 2017.

- D. **Docket No. 16-EPDE-410-ACQ:** *In the Matter of the Joint Application of The Empire District Electric Company, Liberty Sub Corp. and Liberty Utilities (Central) Co. for Approval of an Agreement and Plan of Merger and for Other Related Relief.*

Commissioner Albrecht moved for approval of order # 16-3933 - *Order Granting Joint Motion to Approve the Unanimous Settlement Agreement and Approval of the Joint Application*. Commissioner Apple seconded the motion.

The motion was approved.

E. Docket No. 16-ATMG-079-RTS: *In the Matter of the Application of Atmos Energy Corporation for Adjustment of its Natural Gas Rates in the State of Kansas.*

Commissioner Apple moved for approval of order #16-3939 - *Final Order*. Commissioner Albrecht seconded the motion.

The motion was approved.

F. Docket No. 17-FORP-219-SHO: *In the Matter of the City of Ford, Kansas, Regarding Violations of Kansas Pipeline Safety Regulation 49 CFR Part 192 as Adopted by K.A.R. 82-11-4, and a Violation of K.A.R. 82-11-6).*

Commissioner Apple moved for approval of order #16-3936 - *Show Cause for City of Ford*. Commissioner Albrecht seconded the motion.

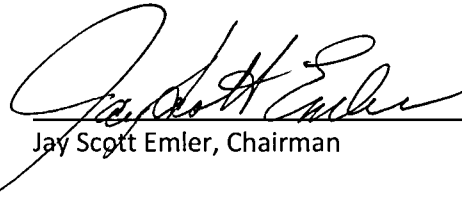
The motion was approved.

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 December 22, 2016 Commission Meeting at 10:13 a.m.

Respectfully submitted,



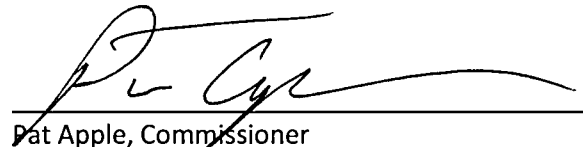
Amy L. Green
Secretary to the Commission



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, December 22, 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 Everest Midwest Licensee LLC, Filing for Kansas Video Service Authorization. <i>Order Amending Video Service Authorization</i>	08-EVMT-1088-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 Transferring Video Service Authorization</i>	11-KKIC-181-VSA	
3	In the Matter of the Application of MCImetro Access Transmission Services LLC to Change its Name to MCImetro Access Transmission Services Corp. <i>Order Approving Name Change</i>	17-MIMT-197-CCN	
4	In the Matter of the Application of Midcontinent Communications, d/b/a MIDCO for Kansas Video Service Authorization <i>Order Granting Video Service Authorization</i>	17-MCCT-238-VSA	
5	In the Matter of S&T Telephone Coop Association, Inc.'s Filing Tariffs Revisions to Non-Recurring Rates and Adding New Hosted PBX. <i>Order Approving Tariff Revisions</i>	17-S&TT-236-TAR	

Consent Agenda

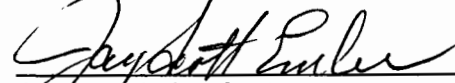
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
6	In the Matter of Application of Kansas Electric Power Cooperative, Inc. for Approval of Amended and Restated Decommissioning Trust and a Change in Trustee. Notice of Evidentiary Hearing	16-KEPE-584-MIS	
7	In the Matter of the Application of Westar Energy, Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in Portions of Sections 2, 3, 4 & 36; Townships 2 South and 3 South; Range 14 East; Nemaha County, KS; and Sections 4, 5, & 6; Township 3 South; Range 15 East; Brown County, KS Certificate	17-WSEE-109-COC	
8	In the Matter of the Application for Kansas City Power & Light Company to Make Certain Changes in Its Charges for Electric Service. Order Setting Procedural Schedule	17-KCPE-201-RTS	
9	In the Matter of the Application of The City of Burlingame for Permission to Cease Operating as a(n) Electric Public Utility in the State of Kansas. Order	17-BURE-203-CCS	
10	In the Matter of the Application of Kaw Valley Electric Cooperative for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. Certificate	17-KWVE-241-COC	
11	In the Matter of the City of Ford, Kansas, Regarding Violations of Kansas Pipeline Safety Regulation 49 CFR Part 192 as Adopted by K.A.R. 82-11-4, and a Violation of K.A.R. 82-11-6(b). Order to Show Case	17-FORP-219-SHO	✓
12	In the Matter of the Investigation of Harris Milling Company, LLC of Kansas City, Missouri, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-207-PEN	
13	In the Matter of the Investigation of Garrison Plumbing, Inc. of Olathe, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-209-PEN	
14	In the Matter of the Investigation of Atmos Energy of Olathe, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-210-PEN	

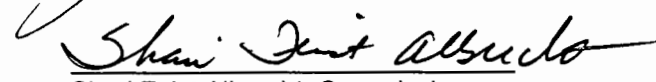
Consent Agenda

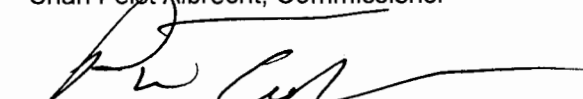
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Investigation of Kansas Gas Service, A Division of ONE Gas of Overland Park, Kansas, Regarding Violation(s) the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5 and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-214-PEN	
16	In the matter of the failure of R.L. Barnard dba Barnard Oil Operations ("Operator") to comply with K.A.R. 82-3-117 at the South # well in Greenwood County, Kansas. Order Rescinding Penalty	17-CONS-3382-CPEN	
17	In the matter of an Order to Show Cause issued to Rodger D. Wells dba Pioneer Resources ("Operator") for its failure to comply with either K.A.R. 82-3-400 or K.A.R. 82-3-409 regarding injection that took place during the 2015 calendar year. Order Rescheduling Prehearing Conference	17-CONS-3372-CSHO	
18	In the matter of an Order to Show Cause issued to Teichgraeber Oil, Inc. ("Operator") for its failure to comply with either K.A.R. 82-3-400 or K.A.R. 82-3-409 regarding injection that took place during the 2015 calendar year. Order Setting Procedural Schedule	17-CONS-3373-CSHO	
19	In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company Seeking Commission Approval for 2017 Ad Valorem Tax Surcharge Rider Tariff. Order Approving Property Tax Surcharge Tariff	17-WSEE-228-TAR	

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