

**Kansas Corporation Commission**  
**Commission Meeting**  
**January 26, 2017**  
10:00 a.m. 1<sup>st</sup> 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 January 26, 2017 in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chairman Apple, Commissioner Albrecht and Commissioner Emler. The following were considered by the Commission:

1. **Consent Agenda:** Chairman Apple had a request to pass over Item #3; Docket No. 17-FSEE-084-COC: In the Matter of the Application for Approval of the Consolidation of Kaw Valley Electric Cooperative, Inc. and Leavenworth Jefferson Electric Cooperative, Inc., Forming a New Cooperative, FreeState Electric Cooperative, Inc. Commissioner Albrecht moved for approval of the remaining Items on the Consent Agenda dated January 26, 2017 containing pages one through four and are attached to these Minutes. Commissioner Emler seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 16-KEPE-584-MIS: *In the Matter of Application of Kansas Electric Power Cooperative, Inc. for Approval of Amended and Restated Decommissioning Trust and a Change in Trustee.***

Commissioner Emler moved for approval of order #17-0270 - *Order Approving Application*.  
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 Emler moved for approval of order #17-0269 - *Order on Prehearing Motions*.  
Commissioner Albrecht seconded the motion.

The motion was approved.

3. **Other matters:**

- A. Chairman Apple 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 20 minutes. Also called into the Executive Session was Jared Harsin, Director of Human Recourses. Commissioner Emler seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:16 a.m. and reconvened in public session at 10:36 a.m.

- B. Chairman Apple 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 Recourses. Commissioner Emler seconded the motion.

The motion was approved.

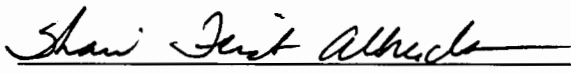
The Commission moved into Executive Session at 10:38 a.m. and reconvened in public session at 10:48 a.m.

**There being no further matters before the Commission, Commissioner Emler moved for adjournment of the Commission meeting. Commissioner Albrecht seconded the motion. The motion was approved. The Commission adjourned the January 26, 2017 Commission Meeting at 10:49 a.m.**

Respectfully submitted,

  
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Amy L. Green  
Secretary to the Commission

  
\_\_\_\_\_  
Pat Apple, Chairman

  
\_\_\_\_\_  
Shari Feist Albrecht, Commissioner

  
\_\_\_\_\_  
Jay Scott Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, January 26, 2017

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 G3 Telecom USA Inc. for a Certificate of Convenience and Authority to Provide Interexchange Tool Services Within the State of Kansas.<br><i>Order Approving Certificate of Convenience Application; Penalty for Violation of K.S.A. 66-104</i> | 17-G3TT-124-COC |         |
| 2        | In the Matter of the Application of Wamego Telecommunications Co. Inc. Elects to Apply for Depreciation Rates to its Intrastate Telecommunications Property, Plant, and Equipment as of the 2017 Calendar Year<br><i>Order Approving Requested Depreciation Rate Changes</i>       | 17-WTCT-270-DRS |         |
| 3        | In the Matter of the Application for Approval of the Consolidation of Kaw Valley Electric Cooperative, Inc. and Leavenworth Jefferson Electric Cooperative, Inc., Forming a New Cooperative, FreeState Electric Cooperative, Inc.<br><i>Certificate and Order</i>                  | 17-FSEE-084-COC | ✓       |

## Consent Agenda

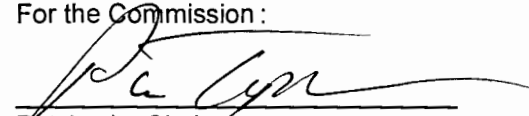
| ITEM NO. | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                              | DOCKET NUMBER     | REMOVED |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------|
| 4        | In the Matter of the Application of Kansas Gas and Electric Company, Doing Business as Westar Energy, Inc. for a Certificate of Public Convenience and Authority to Transact the Business on an Electric Public Utility Specifically in Portions of Sections 14, 15, 19, 20, 21, 23 24, & 28: Township 31 South; Ranges 10 East and 11 East; Elk County, KS<br><b><i>Certificate</i></b> | 17-KG&E-277-COC   |         |
| 5        | In the Matter of the Investigation of Jake Myers, d/b/a M6 Concrete Cutting & Coring of Wichita, 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).<br><b><i>Penalty Order</i></b>    | 17-DPAX-324-PEN   |         |
| 6        | In the Matter of the Investigation of Custom Neon and Vinyl Graphics, Inc. of Topeka, 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.<br><b><i>Penalty Order</i></b>                                                      | 17-TRAM-318-PEN   |         |
| 7        | In the Matter of the Investigation of Alejandro Gonzalez, d/b/a Gonzalez Repair and Towing of Olathe, 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.<br><b><i>Penalty Order</i></b>                                      | 17-TRAM-319-PEN   |         |
| 8        | In the Matter of the Emergency Suspension of Operating Authority of Aron Kempker, d/b/a/ Kansas City Truck Repair of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations.<br><b><i>Emergency Suspension of Operating Authority Order</i></b>                                             | 17-TRAM-322-OOS   |         |
| 9        | In the matter of the failure of Coachman Energy Operating Company LLC ("Operator") to comply with K.A.R. 82-3-111 at the Adams #1-29 in Meade County, Kansas.<br><b><i>Order Designating Prehearing Officer and Setting Prehearing Conference</i></b>                                                                                                                                    | 17-CONS-3409-CPEN |         |
| 10       | In the matter of the failure of James D. Lorenz ("Operator") to comply with K.A.R. 82-3-120.<br><b><i>Penalty Order - James D. Lorenz</i></b>                                                                                                                                                                                                                                            | 17-CONS-3453-CPEN |         |
| 11       | In the matter of the failure of Gary C. Splane ("Operator") to comply with K.A.R. 82-3-120.<br><b><i>Penalty Order - Gary C. Splane</i></b>                                                                                                                                                                                                                                              | 17-CONS-3454-CPEN |         |
| 12       | In the matter of the failure of Kansas Oil, Inc. ("Operator") to comply with K.A.R. 82-3-120.<br><b><i>Penalty Order - Kansas Oil, Inc.</i></b>                                                                                                                                                                                                                                          | 17-CONS-3455-CPEN |         |
| 13       | In the matter of the failure of Bill Gallagher Enterprises LLC ("Operator") to comply with K.A.R. 82-3-120.<br><b><i>Penalty Order - Bill Gallagher Enterprises LLC</i></b>                                                                                                                                                                                                              | 17-CONS-3456-CPEN |         |

**Consent Agenda**

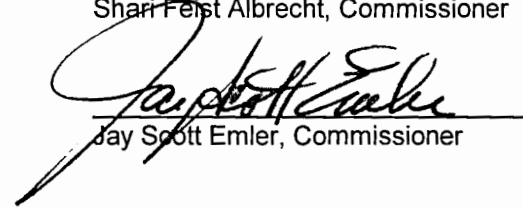
| ITEM NO. | DESCRIPTION                                                                                                                                                                        | DOCKET NUMBER     | REMOVED |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|---------|
| 14       | In the matter of the failure of Howard Cannon dba Cannon Drilling Co. ("Operator") to comply with K.A.R. 82-3-120.<br><i>Penalty Order - Howard Cannon dba Cannon Drilling Co.</i> | 17-CONS-3457-CPEN |         |
| 15       | In the matter of the failure of ERS Operating Company, LLC ("Operator") to comply with K.A.R. 82-3-120.<br><i>Penalty Order - ERS Operating Company, LLC</i>                       | 17-CONS-3458-CPEN |         |
| 16       | In the matter of the failure of William G. Smith Oil, LLC ("Operator") to comply with K.A.R. 82-3-120.<br><i>Penalty Order - William G. Smith Oil, LLC</i>                         | 17-CONS-3459-CPEN |         |
| 17       | In the matter of the failure of Jon Schubert ("Operator") to comply with K.A.R. 82-3-120.<br><i>Penalty Order - Jon Schubert</i>                                                   | 17-CONS-3460-CPEN |         |

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :

  
Pat Apple, Chairman

  
Shari Fest Albrecht, Commissioner

  
Jay Scott Emler, Commissioner

Attest:

  
Amy L. Green  
Secretary to the Commission