

Kansas Corporation Commission
Commission Meeting
February 21, 2017
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 February 21, 2017 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chairman Apple, and Commissioner Albrecht. Commissioner Emler was not in attendance. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Albrecht moved for approval of the Items on the Consent Agenda dated February 21, 2017 containing pages one through four and are attached to these Minutes. Commissioner Apple seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 16-CONS-564-CINV: *In the matter of the complaint of Merit Energy Company against ONEOK Field Services, LLC to establish just and reasonable charges for gas gathering pursuant to K.A.R. 82-3-802.***

Commissioner Apple requested to pass over order #17-0533 - *Order*. There were no objections.

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 February 21, 2017 Commission Meeting at 10:01 a.m.


Respectfully submitted,



Amy L. Green
Secretary to the Commission



Pat Apple, Chairman



Shari Feist Albrecht, Commissioner

Absent

Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, February 21, 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 Suburban Water, Inc., d/b/a Suburban Water Company, for a Certificate of Convenience and Authority to Transact the Business of a Water Public Utility in Section 23, Township 12 South, Range 21 East, Leavenworth County, Kansas; and Parcel 2, a Replat of Tract 16, South Basehor, a subdivision in the City of Basehor, Section 2, Township 11 South, Range 22 East, Leavenworth County, Kansas. <i>Certificate</i>	17-SUBW-265-COC	
2	In the Matter of the Application of Suburban Water, Inc., d/b/a Suburban Water Company, to Cease a Certificate of Convenience and Authority to Transact the Business of a Water Public Utility in Section 23, Township 12 South, Range 21 East, Leavenworth County, Kansas. <i>Order</i>	17-SUBW-266-CCS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
3	In the Matter of the Investigation of Ace Transports LLC of Cherryvale, 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 Approving Stipulated Settlement Agreement	17-TRAM-260-PEN	
4	In the Matter of the Investigation of Dreiling Construction, LLC 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. Penalty Order	17-TRAM-367-PEN	
5	In the Matter of the Investigation of Kansas Auto Repair, Inc. of Newton, 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-369-PEN	
6	In the Matter of the Investigation of Dreiling Pipeline, LLC 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. Penalty Order	17-TRAM-371-PEN	
7	In the Matter of the Investigation of B-2 Express Lines, LLC 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. Penalty Order	17-TRAM-372-PEN	
8	In the Matter of the Investigation of Erik Griffith Enger, d/b/a A & E Tree of Leawood, 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-373-PEN	
9	In the Matter of the Investigation of Nick Breck, d/b/a SD Transportation of Lenexa, 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	17-TRAM-246-PEN	
10	In the Matter of the Emergency Suspension of Operating Authority of Brett O. Beard, d/b/a Papaws Trucking of Garden 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-365-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
11	In the Matter of the Emergency Suspension of Operating Authority of Powers Taylor Mills Engineered Foundation Construction, LLC of Shawnee, 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-366-OOS	
12	In the Matter of the Emergency Suspension of Operating Authority of Daniel Rodolfo Laguna, d/b/a Laguna Tree Trimming Co., of Emporia, 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-376-OOS	
13	In the matter of the failure of Buffalo Oil & Gas, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Rothwell Twin #12 in Sumner County, Kansas. Penalty Order - Buffalo Oil & Gas, LLC	17-CONS-3488-CPEN	
14	In the matter of the failure of River Rock Operating, LLC ("Operator") to comply with K.A.R. 82-3-407 at the W Hahn #1-1 in Labette County, Kansas. Penalty Order - River Rock Operating, LLC	17-CONS-3489-CPEN	
15	In the matter of the failure of Reginald D. Fisher ("Operator") to comply with K.A.R. 82-3-111 at the Harter E #1 in Stafford County, Kansas. Penalty Order - Reginald D. Fisher	17-CONS-3491-CPEN	
16	In the matter of an Order to Show Cause issued to Nordmeyer 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 Approving Settlement Agreement	17-CONS-3374-CSHO	
17	In the matter of an Order to Show Cause issued to Larry A. Sutherland dba Sutherland Enterprises ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order Closing Docket	17-CONS-3317-CSHO	
18	In the matter of an Order to Show Cause issued to Black & White Oper. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order Closing Docket	17-CONS-3260-CSHO	
19	In the matter of an Order to Show Cause issued to Jo-Allyn Oil Co., 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 Granting Motion to Approve Settlement Agreement	17-CONS-3375-CSHO	

Consent Agenda


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
20	In the Matter of the Investigation of Mark Lambeth, d/b/a K M Construction of Louisburg, 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 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	17-DPAX-358-PEN	

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

For the Commission :


 Pat Apple, Chairman


 Shari Feist Albrecht, Commissioner


 Jay Scott Emler, Commissioner

Attest: 
 Amy L. Green
 Secretary to the Commission