

Kansas Corporation Commission
Commission Meeting
April 11, 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 April 11, 2017 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Commissioner Albrecht and Commissioner Emler. Chairman Apple 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 April 11, 2017 containing pages one through three and are attached to these Minutes. Commissioner Emler 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 Emler moved for approval of order #17-1217 - *Order Denying Merit Energy Company's Petition for Reconsideration*. 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 Albrecht moved for approval of order #17-1221 - *Order Denying KPP's Motion to File a Responsive Brief*. Commissioner Emler 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 Emler seconded the motion. The motion was approved. The Commission adjourned the April 11, 2017 Commission Meeting at 10:04 a.m.

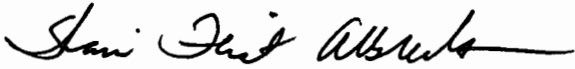
Respectfully submitted,



Amy L. Green
Secretary to the Commission

Absent

Pat Apple, Chairman



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, April 11, 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 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 McLeodUSA Telecommunications Services, US LEC Communications LLC and Paetec Communications LLC</i>	17-GIMT-008-GIT	
2	In the Matter of the Audit of Rainbow Telecommunications Association, Inc. by the Kanas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A 2015 Supp. 66-2010(b) for KUSF Operating Year 19, Fiscal Year March 2015-February 2016 <i>Order Adopting Audit Report and Closing Docket</i>	17-RNBT-025-KSF	
3	In the Matter of the Audit of Rainbow Telecommunications Association, Inc. by the Kanas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A 2015 Supp. 66-2010(b) for KUSF Operating Year 19, Fiscal Year March 2015-February 2016 (IXC) <i>Order Adopting Audit Report and Closing Docket</i>	17-RNBT-026-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Legacy Long Distance International, Inc. for a Certificate of Convenience and Authority to Provide Interexchange Telecommunications and Operator Services Within the State of Kansas. Order Granting Certificate and Assessing Penalty	17-LLDC-249-COC	
5	In the Matter of Teleport Communications America, LLC's Petition for Expedited Review of a NANPA or PA Decision to Withhold Growth Numbering Resources Following the Expedited Review Process for the Assignment of Numbering Resources in the Lawrence, Kansas Rate Center Order Granting Petition for Expedited Review	17-TCAT-439-MIS	
6	In the Matter of the Application of Kansas City Power & Light Company for Approval of its 2017 Energy Efficiency Rider for Program Costs Incurred January 1 Through December 31, 2016. Suspension Order, Protective Order and Discovery Order	17-KCPE-446-TAR	
7	In the Matter of the Investigation of J.E. Dunn Construction Company 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 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-449-PEN	
8	In the Matter of the Emergency Suspension of Operating Authority of Joseph Ndungu of Roeland Park, 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	17-TRAM-067-OOS	
9	In the Matter of the Investigation of T&E Flow Services, LLC of Edmond, Oklahoma, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation for Violation(s) of the Kansas 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-GIMM-375-KHP	
10	In the matter of a Compliance Agreement between CherokeeNRG, LLC (Operator) and Commission Staff regarding bringing the subject wells in Wilson and Woodson Counties into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	17-CONS-3531-CMSC	
11	In the matter of the failure of Victory Minerals LLC ("Operator") to comply with K.A.R. 82-3-407 at the Hauschild #1 in Rice County, Kansas. Penalty Order - Victory Minerals LLC	17-CONS-3533-CPEN	

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

For the Commission :

Absent
Pat Apple, Chairman

Shari Feist Albrecht
Shari Feist Albrecht, Commissioner

Jay Scott Emler
Jay Scott Emler, Commissioner

Attest: Amy L. Green
Amy L. Green
Secretary to the Commission