

Kansas Corporation Commission
Commission Meeting
April 25, 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 25, 2017 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda:** Item No. 48 was removed from the Consent Agenda. Docket No. 17-KCPE-447-COM: In the Matter of the Formal Complaint Against Kansas City Power & Light by Ruth A. Richardson. Commissioner Emler moved for approval of the remaining Items on the Consent Agenda dated April 25, 2017 containing pages one through eight and are attached to these Minutes. Chairman Apple seconded the motion.

The motion was approved.

There being no further matters before the Commission, Commissioner Emler moved for adjournment of the Commission meeting. Chairman Apple seconded the motion. The motion was approved. The Commission adjourned the April 25, 2017 Commission Meeting at 10:02 a.m.

Respectfully submitted,



Amy L. Green
Secretary to the Commission



Pat Apple, Chairman

Absent

Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, April 25, 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 failure of Ivan G. Black dba Black Oil Co. ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Ivan G. Black dba Black Oil Co.</i>	17-CONS-3547-CPEN	
2	In the matter of the failure of A. Francis Vonfeldt dba A. Francis Vonfeldt Co. ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - A. Francis Vonfeldt dba A. Francis Vonfeldt Co.</i>	17-CONS-3548-CPEN	
3	In the matter of the failure of Sabre Exploration, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Sabre Exploration, LLC</i>	17-CONS-3549-CPEN	
4	In the matter of the failure of Lanny Unruh dba Biggy's Petroleum ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Lanny Unruh dba Biggy's Petroleum</i>	17-CONS-3550-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of Danny Shue c/o Shannon Gillette dba Dass Oil Company ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Danny Shue c/o Shannon Gillette dba Dass Oil Company	17-CONS-3551-CPEN	
6	In the matter of the failure of Maier Well Service, Inc. ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Maier Well Service, Inc.	17-CONS-3552-CPEN	
7	In the matter of the failure of S.J. Titan Co., a General Partnership ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - S.J. Titan Co., a General Partnership	17-CONS-3553-CPEN	
8	In the matter of the failure of West Sunset Disposal, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - West Sunset Disposal, LLC	17-CONS-3554-CPEN	
9	In the matter of the failure of Jack Edwards dba Edwards Oil Properties ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Jack Edwards dba Edwards Oil Properties	17-CONS-3555-CPEN	
10	In the matter of the failure of B & H Drilling, a General Partnership ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - B & H Drilling, a General Partnership	17-CONS-3556-CPEN	
11	In the matter of the failure of Millennium Oil & Gas, Inc. ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Millennium Oil & Gas, Inc.	17-CONS-3557-CPEN	
12	In the matter of the failure of Lynn Packard ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Lynn Packard	17-CONS-3558-CPEN	
13	In the matter of the failure of Charles A. Walls ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Charles A. Walls	17-CONS-3559-CPEN	
14	In the matter of the failure of Whitlow Energy, Inc. ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. Penalty Order - Whitlow Energy, Inc.	17-CONS-3560-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of the failure of Thunderbolt Construction Corp ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Thunderbolt Construction Corp</i>	17-CONS-3561-CPEN	
16	In the matter of the failure of Wausau Development Corporation ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Wausau Development Corporation</i>	17-CONS-3562-CPEN	
17	In the matter of the failure of Star Blue LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Star Blue LLC</i>	17-CONS-3563-CPEN	
18	In the matter of the failure of Ensminger Energy LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Ensminger Energy LLC</i>	17-CONS-3564-CPEN	
19	In the matter of the failure of Gressel Production, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Gressel Production, LLC</i>	17-CONS-3565-CPEN	
20	In the matter of the failure of Eagle Energy Resources LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82 3 409. <i>Penalty Order - Eagle Energy Resources LLC</i>	17-CONS-3566-CPEN	
21	In the matter of the failure of Abundant Oil Company, A General Partnership ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3567-CPEN	
22	In the matter of the failure of Longhorn Crude, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3568-CPEN	
23	In the matter of the failure of Triple Crown Operating LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3569-CPEN	
24	In the matter of the failure of American Oil LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3570-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the matter of the failure of D K Oil Services LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3571-CPEN	
26	In the matter of the failure of Jayhawk Exploration LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3572-CPEN	
27	In the matter of the failure of William H. Cox ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3573-CPEN	
28	In the matter of the failure of Robinette Oil Company LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3574-CPEN	
29	In the matter of the failure of BPG Capital, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3575-CPEN	
30	In the matter of the failure of Shorts Production LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3576-CPEN	
31	In the matter of the failure of Kansas Renewable Resources, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3577-CPEN	
32	In the matter of the failure of Robert A. Miller ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3578-CPEN	
33	In the matter of the failure of LH Oil, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3579-CPEN	
34	In the matter of the failure of Wilson Family Farms, Inc. ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <i>Penalty Order</i>	17-CONS-3580-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
35	In the matter of the failure of Siemsen Operating, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. Penalty Order	17-CONS-3581-CPEN	
36	In the matter of the failure of APATAO, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. Penalty Order	17-CONS-3582-CPEN	
37	In the matter of the failure of C & K Operating LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. Penalty Order	17-CONS-3583-CPEN	
38	In the matter of the failure of Destiny Services LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. Penalty Order	17-CONS-3584-CPEN	
39	In the matter of the failure of LU-MAR, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. Penalty Order	17-CONS-3585-CPEN	
40	In the matter of the failure of River Rock Operating, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. Penalty Order	17-CONS-3586-CPEN	
41	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Pinpoint Wireless, Inc. Order Approving Interconnection Agreement Modifications	02-SWBT-928-IAT	
42	In the Matter of Paging Interconnection Agreement by and Between Mobile Radio Communications, Inc. and Southwestern Bell Telephone, L.P. d/b/a SBC Kansas Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996. Order Approving Amended Interconnection Agreement	04-SWBT-615-IAT	
43	In the Matter of the Application of Cox Communications Kansas L.L.C., Filing for Kansas Video Service Authorization. Order Granting Amended Video Service Authorization	07-CXKC-621-VSA	
44	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. Order Approving Traffic Factors for Matrix Telecom, LLC dba Matrix Business Technologies dba Trinsic Communications dba vartec Telecom dba Excel Telecommunications	17-GIMT-008-GIT	

Consent Agenda

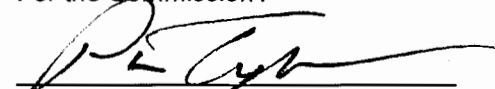
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
45	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Twenty-First Year of the Kansas Universal Service Fund, Effective March 1, 2017. Order Approving Traffic Factors for Budget Prepay, Inc.	17-GIMT-008-GIT	
46	In the Matter of the Application Brown-Atchison Electric Cooperative Association, Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Utility Public Utility in the State of Kansas, Atchison County Order Granting Certificate of Convenience and Authority	17-BRAE-357-COC	
47	In the Matter of the Application of Westar Energy, Inc. to Cease Transacting the Business of an Electric Public Utility, Specifically in Portions of Section 33, Township 6 South, Range 17 East, in Atchison County Kansas. Order Granting Application to Cease Transacting the Business of an Electric Public Utility	17-WSEE-386-CCS	
48	In the Matter of the Formal Complaint Against Kansas City Power & Light by Ruth A. Richardson. Order Dismissing Formal Complaint With Leave to Amend	17-KCPE-447-COM	✓
49	In the Matter of the Investigation of 4 Seasons AG, LLC of Colby, 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 Amending Penalty Order	17-TRAM-407-PEN	
50	In the Matter of the Investigation of Troy L. Love, d/b/a Love's Moving Service 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. Order Amending Penalty Order	17-TRAM-416-PEN	
51	In the Matter of the Investigation of Crazy K, Inc. of Fredonia, 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-459-PEN	
52	In the Matter of the Investigation of Vailway Transport, LLC of Pittsburg, 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-465-PEN	
53	In the Matter of the Emergency Suspension of Operating Authority of J&G Underground Construction, LLC of Kansas 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-466-OOS	

Consent Agenda

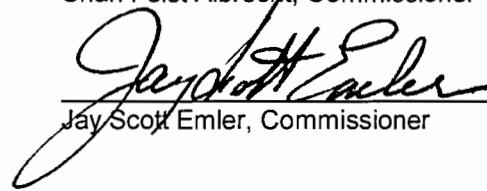
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
54	In the matter of the failure of Butler Petroleum LLC ("Operator") to comply with K.A.R. 82-3-407 at the Voights #20 A, Burks #1 W, Andenberg-Skaggs #2-W and Andenberg-Skaggs #1-W in Johnson County, Kansas. <i>Default Order</i>	17-CONS-3442-CPEN	
55	In the matter of a Compliance Agreement between Eldon R. Koehn (Operator) and Commission Staff regarding bringing the subject wells in McPherson County into compliance with K.A.R. 82-3-111. <i>Order Approving Compliance Agreement</i>	17-CONS-3543-CMSC	
56	In the matter of the failure of Circle Star Operating Corp ("Operator") to comply with K.A.R. 82-3-111 at the Lynd Family Trust #36-1 and Lynd Family Trust #36-2 wells in Trego County, Kansas. <i>Shut-In Order</i>	17-CONS-3462-CPEN	


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

For the Commission :


Pat Apple, Chairman

Absent
Shari Feist Albrecht, Commissioner


Jay Scott Emler, Commissioner

Attest: 
Amy L. Green
Secretary to the Commission