

Kansas Corporation Commission
Commission Meeting
May 18, 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 May 18, 2017 in the 1st 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:** Commissioner Albrecht moved for approval of the Items on the Consent Agenda dated May 18, 2017 containing pages one through five and are attached to these Minutes. Commissioner Emler seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 17-CONS-3484-CUIC** *In the matter of the application of Quail Oil & Gas, LC to authorize injection of saltwater into the Arbuckle formation at the Sly 2-6 SWD well, located in Section 6, Township 17S, Range 6E in Morris County, Kansas.*

Commissioner Emler moved for approval of order #17-1661, Order Amending Procedural Schedule. Commissioner Albrecht seconded the motion.

The motion was approved.

- B. **Docket No. 17-CONS-3509-CMSC** *In the Matter of the Complaint of Atmos Energy Against Endeavor Energy Resources, L.P. Relating to the Stigmeier #23-1 Well Located in the SW/4 SW/4 SW4 of Section 23, Township 33 South, Range 17 East, Labette County, Kansas.*

Commissioner Emler moved for approval of order #17-1662, Order on Atmos Energy's Complaint. Commissioner Albrecht seconded the motion.

The motion was approved.

- C. **Docket No. 17-CONS-3516-CUNI** *In the matter of the application of Lario Oil & Gas Company for an order authorizing the unitization and unit operations of the Feiertag Unit in Scott County, Kansas.*

Commissioner Albrecht moved for approval of order #17-1614, Order Designating Prehearing Officer, Setting Prehearing Conference and Granting Intervention and Protestant Status to Cholla Production LLC. Commissioner Emler seconded the motion.

The motion was approved.

D. **Docket No. 17-GIMM-269-KHP** *In the Matter of the Investigation of Benfer Enterprises II, LLC of Independence, Missouri, 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.*

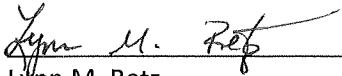
Commissioner Emler requested Attachment "A" of the Staff's Motion as referenced in paragraph nine of the Order delineating costs be attached to the Order. Chairman Apple concurred and Commissioner Albrecht concurred.

Commissioner Emler moved for approval of order #17-1637, Default Order Affirming Penalty and Assessing Costs Pursuant to K.S.A. 66-1502, with correction. Commissioner Albrecht seconded the motion.

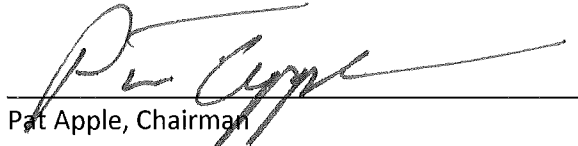
The motion was approved.

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 May 18, 2017 Commission Meeting at 10:05 a.m.

Respectfully submitted,



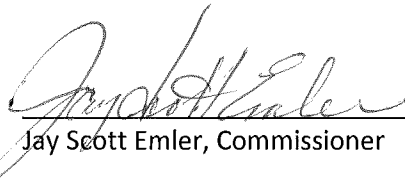
Lynn M. Retz
Secretary to the Commission



Pat Apple, Chairman



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, May 18, 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 Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Debt Service Coverage Formula Based Ratemaking Plan Approved in Docket No.13-MKEE-452-MIS and 34.5kV Formula Based Ratemaking Plan Approved in Docket No. 16-MKEE-023-TAR. <i>Order Granting CURB's Petition to Intervene</i>	17-SPEE-476-TAR	
2	In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Debt Service Coverage Formula Based Ratemaking Plan Approved in Docket No.13-MKEE-452-MIS and 34.5kV Formula Based Ratemaking Plan Approved in Docket No. 16-MKEE-023-TAR. <i>Order Setting Procedural Schedule</i>	17-SPEE-476-TAR	
3	In the Matter of the Application of Western Cooperative Electric Association, Inc. Seeking Commission Approval to Update Its Local Access Delivery Service Tariff Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. 16-MKEE-023-TAR. <i>Protective Order and Discovery Order</i>	17-WSTE-477-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Prairie Land Electric Cooperative, Inc. Seeking Commission Approval to Update Its Local Access Delivery Service Tariff Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. 16-MKKEE-023-TAR. <i>Protective Order and Discovery Order</i>	17-PLCE-478-TAR	
5	In the Matter of the Application of Mid-Kansas Electric Company, LLC for Approval of the City of Glen Elder Firm Energy, Capacity, and Load Following Agreement <i>Suspension Order, Protective Order, and Discovery Order</i>	17-MKKEE-497-CON	
6	In the Matter of the Application of Mid-Kansas Electric Company, LLC for Approval of the City of Cawker City Firm Energy, Capacity, and Load Following Agreement <i>Suspension Order, Protective Order, and Discovery Order</i>	17-MKKEE-498-CON	
7	In the Matter of ONEOK NGL Pipeline, L.L.C. Seeking Commission Approval to Add K.C.C. Tariff No. 9.3 <i>Suspension Order</i>	17-ONEP-482-TAR	
8	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with TC Wireless, Inc. <i>Order Approving Amended Interconnection Agreement</i>	15-SWBT-139-IAT	
9	In the Matter of Miracle Communications, Inc., Cancellation of All Operating Certificates of Convenience of Authority and Tariffs in Kansas. <i>Order Cancelling Certificate</i>	17-MIRC-479-CCS	
10	In the Matter of the Investigation of Daniel's Moving and Storage, Inc. of Wichita, 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. <i>Order Reinstating Intrastate Motor Carrier Operations</i>	16-TRAM-295-PEN	
11	In the Matter of the Investigation of David Roach, d/b/a WGC Trucking of Great Bend, 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. <i>Order Amending Penalty Order</i>	17-TRAM-421-PEN	
12	In the Matter of the Investigation of Aspen Leaf Container and Transportation, LLC of Sharon Springs, 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. <i>Order Amending Penalty Order</i>	17-TRAM-423-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Wichita Auto Transport LLC of Wichita, 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-494-PEN	
14	In the Matter of the Investigation of DDH Enterprises, 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 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-492-PEN	
15	In the Matter of the Investigation of Atmos Energy Corporation 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 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	17-DPAX-493-PEN	
16	In the Matter of the Investigation of Rockstar Logistics, LLC of Emporia, 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-496-PEN	
17	In the Matter of the Investigation of Garrett Benjamin, d/b/a Garrett Benjamin Farms of Council Grove, Kansas, 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 Cancelling Evidentiary Hearing	17-GIMM-343-KHP	
18	In the Matter of the Notice of Denial of License Renewal Application to Agricultural Energy Services. Order Designating Prehearing Officer and Setting Prehearing Conference	17-CONS-3529-CMSC	
19	In the matter of a Compliance Agreement between Perkins Oil Enterprises (Operator) and Commission Staff regarding bringing the subject wells in Chautauqua and Elk Counties into compliance with K.A.R. 82-3-111. Order Approving Compliance Agreement	17-CONS-3651-CMSC	
20	In the Matter of the Notice of Denial of License Renewal Application to Running Foxes Petroleum Inc. Order Designating Prehearing Officer and Setting Prehearing Conference	17-CONS-3652-CMSC	
21	In the Matter of the Notice of Denial of License Renewal Application to Nadel and Gussman, LLC Order Designating Prehearing Officer and Setting Prehearing Conference	17-CONS-3655-CMSC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
22	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. <i>Order Rescinding Penalty</i>	17-CONS-3560-CPEN	
23	In the matter of the failure of Tapstone Energy, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Hedrick 2106 #19-1 in Rice County, Kansas. <i>Penalty Order - Tapstone Energy, LLC</i>	17-CONS-3656-CPEN	
24	In the matter of the failure of Terry P. Bandy dba Te-Pe Oil & Gas ("Operator") to comply with K.A.R. 82-3-111 at the Una #4 in Clay County, Kansas. <i>Penalty Order - Terry P. Bandy dba Te-Pe Oil & Gas</i>	17-CONS-3657-CPEN	
25	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to National Directory Assistance, LLC. <i>Order Cancelling Certificate</i>	17-NDAC-445-CCS	

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

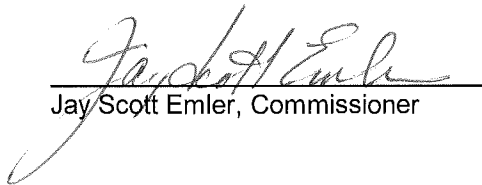
For the Commission :



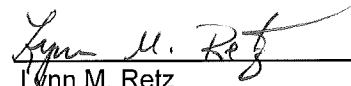
Pat Apple, Chairman



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner

Attest: 

Lynn M. Retz
Secretary to the Commission