

Kansas Corporation Commission
Commission Meeting
July 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 July 11, 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 Emler moved for approval of the Items on the Consent Agenda dated July 11, 2017 containing pages one through four and are attached to these Minutes. Commissioner Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 17-CONS-3100-CPEN**

In the Matter of the Failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Clearwater #2 and Clearwater #5 wells in Butler County, Kansas.

Commissioner Emler moved for approval of order #17-2126. Commissioner Albrecht seconded the motion.

The motion was approved.

- B. **Docket No. 17-KGSG-218-GIP**

In the Matter of the General Investigation into Operations of Kansas Gas Services Regarding the Natural Gas Incident that Occurred at 9th Street and Magnolia Avenue in Salina, Saline County, Kansas.

Commissioner Albrecht asked if the excavation company would receive notice. Litigation Staff Robert Vincent stated the excavation company could be provided a copy. Commissioner Albrecht moved for approval of order #17-2099. Commissioner Emler seconded the motion.

The motion was approved.

C. **Docket No. 17-SWBT-158-MIS**

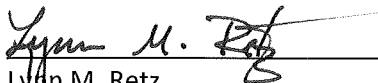
In the Matter of the Application of Southwestern Bell Telephone Company d/b/a AT&T Kansas for an Order Confirming Relinquishment of its Eligible Telecommunications Carrier Designation in Specified Areas, and Notice Pursuant to K.S.A. 2015 Supp. 66-2006(d) of Intent to Cease Participation in the Kansas Lifeline Service Program.

Commissioner Emler moved for approval of order #17-2103. Commissioner Albrecht 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 July 11, 2017 Commission Meeting at 10:07 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: Tuesday, July 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 the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with SKT, Inc. <i>Order Approving Interconnection Agreement</i>	09-SWBT-793-IAT	
2	In the Matter of the Application of YourTel America, Inc. to Amend Its Designation as an Eligible Telecommunications Carrier in the State of Kansas <i>Order Approving Revised KLSP Calling Plan</i>	12-TPCT-768-ETC	
3	In the Matter of the Audit of Virgin Mobile USA, L.P. by the Kansas 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 Accepting and Adopting GVNW Consulting, Inc.'s Audit Report and Recommendation</i>	17-VMBZ-023-KSF	
4	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Roman LD, Inc. <i>Order Cancelling Certificate of Convenience and Authority to Provide IXC Service in Kansas</i>	17-RMLC-519-CCS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Twin Valley Filing Tariff Revisions to Change Rates for Bundled Services. <i>Order Approving Tariff Revisions</i>	17-TWVT-553-TAR	
6	In the Matter the Application of Rainbow Telecommunications Association, Inc., for an Increase in its Cost-Based Kansas Universal Service Fund Support. <i>Order Setting Procedural Schedule</i>	17-RNBT-555-KSF	
7	In the Matter of KanOkla Telephone Association Tariff Revisions to Reduce Residential Local Service Rate to \$17.25. <i>Order Approving Tariff Revision</i>	17-KOKT-564-TAR	
8	In the Matter of the Complaint Against Kansas Gas Service, Respondent, by Debbie Klaver Complainant. <i>Order Dismissing Formal Complaint With Leave to Amend</i>	17-KGSG-561-COM	
9	In the Matter of the Joint Application of Mid-Kansas and Southern Pioneer Company Requesting Approval of a Settlement Agreement Regarding "First Mile" Local Delivery Service Over Southern Pioneer's 34.5 Facilities. <i>Order Granting Uncontested Request For Extension of Deadline to File Proposed Tariff Revisions</i>	15-MKEE-461-TAR	
10	In the Matter of the Investigation of MacInnis Trucking LLC of Shawnee, 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. <i>Order Approving Stipulated Settlement Agreement</i>	17-GIMM-403-KHP	
11	In the Matter of the Emergency Suspension of Operating Authority of David Lehman, d/b/a L 7 Carriers of Tribune, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-566-OOS	
12	In the Matter of the Emergency Suspension of Operating Authority of Teblet Lawn Care LLC of Lansing, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-567-OOS	
13	In the Matter of the Emergency Suspension of Operating Authority of J & R Construction LLC of Garden City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-570-OOS	
14	In the Matter of the Emergency Suspension of Operating Authority of Precision One, Inc. of Topeka, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	17-TRAM-571-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Investigation of Moly Manufacturing, Inc. of Lorraine, 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-557-PEN	
16	In the Matter of the Investigation of Double D Family Mat Shop Inc. of Park, 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-569-PEN	
17	In the Matter of the Investigation of Royer Brothers Tree Service, LLC of Hutchinson, 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	18-TRAM-004-PEN	
18	In the Matter of the Investigation of Ebberts Construction Cleanup Inc. of Paola, 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	18-TRAM-005-PEN	
19	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). Order Setting Hearing	17-DPAX-492-PEN	
20	In the matter of an Order to Show Cause issued to Jaed Production Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order Setting Procedural Schedule	17-CONS-3127-CSHO	
21	In the matter of the application of Duncan Energy Company and Farleigh Oil Properties for an exception to certain regulations of this Commission otherwise applicable to gas wells producing coalbed methane gas in Jackson, Pottawatomie, Nemaha, Shawnee, Jefferson, Brown, and Osage Counties, Kansas. Order Setting Procedural Schedule	17-CONS-3429-CBSO	
22	In the matter of the application of Berexco LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Bamberger #6 SWD well located in the NE SE of Sec 20, T22S, R22W Hodgeman County, Kansas. Default Order	17-CONS-3644-CEXC	

Consent Agenda

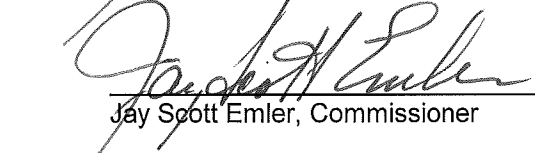
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the matter of the application of Merit Energy Company, LLC, for an order authorizing the Unitization and Unit Operation of the Hylbom Morrow Unit in Finney and Kearny Counties, Kansas. <i>Order Granting Application</i>	17-CONS-3650-CUNI	

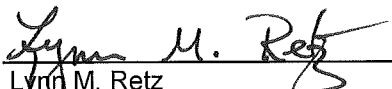
The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :


Pat Apple, Chairman


Shari Feist Albrecht, Commissioner


Jay Scott Emler, Commissioner

Attest: 
Lynn M. Retz
Secretary to the Commission