

**Kansas Corporation Commission**  
**Commission Meeting**  
**July 25, 2017**  
10:00 a.m. 1<sup>st</sup> 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 25, 2017 in the 1<sup>st</sup> Floor Hearing Room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chairman Apple, Commissioner Albrecht (by telephone), 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 July 25, 2017 containing pages one through five which are attached to these Minutes. Commissioner Emler seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 16-KCPE-195-COM**

*In the Matter of the Complaint Against Kansas City Power and Light by Jamie Littich*

Commissioner Albrecht moved for approval of order #17-2208, Order Granting Complainant's Motion to File Out of Time and KCP&L's Motion for Extension of Time to Respond to Complainant's Motion to Respond Out of Time and Denying KCP&L's Motion to Strike. Commissioner Emler seconded the motion.

The motion was approved.

- B. **Docket No. 17-BHCG-511-ACQ**

*In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy ("Black Hills") for an Extension of its Certificate of Convenience and Authority to Operate as a Natural Gas Public Utility in an Area Heretofore Served by the City of Attica, Kansas, a Municipally Owned Natural Gas Utility.*

Commissioner Emler moved for approval of order #17-2212, Order and Certificate. Commissioner Albrecht seconded the motion.

The motion was approved.

**C. Docket No. 17-CONS-3398-CPEN**

*In the matter of the failure of MEM Partnership LP, a General Partnership ("Operator") to comply with K.A.R. 82-3-111 at the Cooley #1 in Graham County, Kansas.*

Deputy General Counsel Dustin Kirk stated paragraph twenty-one of the order should be stricken in its entirety and the remainder of the order re-numbered. Commissioner Albrecht sought clarification of the paragraph contents and agreed to its being stricken as requested. Commissioner Albrecht moved for approval of order #17-2244, Proposed Default Order, as amended. Commissioner Emler seconded the motion.

The motion was approved.

**D. Docket No. 17-SPEE-476-TAR**

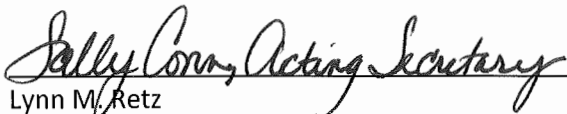
*In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Debt Service Coverage Formula Based Ratemaking Plan Approved in Docket No.13-MKEE-452-MIS and 34.5kV Formula Based Ratemaking Plan Approved in Docket No. 16-MKEE-023-TAR.*

Commissioner Emler moved for approval of order #17-2213, Order Granting Application and Approving Adjustments. Commissioner Albrecht seconded the motion.

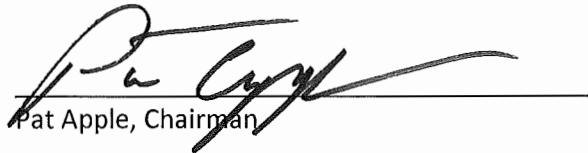
The motion was approved.

**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 July 25, 2017 Commission Meeting at 10:07 a.m.**

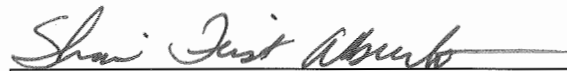
Respectfully submitted,



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 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 an Investigation to Determine the Assessment Rate for the Twentieth Year of the Kansas Universal Service Fund, Effective March 1, 2016. <i>Order Accepting GVNW's KUSF Year 20 Audit Selections, Proposed Revisions to Selection Criteria and Carrier Review Procedures</i>	16-GIMT-067-GIT	
2	In the Matter of the Southwestern Bell Telephone Company d/b/a AT&T Kansas Compliance with the Kansas Lifeline Service Program Requirements. <i>Order Adopting Staff's Report and Recommendation and Closing Docket</i>	16-SWBT-192-CPL	
3	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Airus, Inc. <i>Order Approving Interconnection Agreement</i>	17-SWBT-563-IAT	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of Craw-Kan Telephone Cooperative, Inc. Filing Tariff Revisions to Reduce Residential Local Service Rate to \$17.25 Statewide Affordable Rate plus \$0.61 EAS Additive. <b>Order Approving Tariff Revision</b>	17-CRKT-568-TAR	
5	In the Matter of S&A Telephone Company Filing Tariff Revisions to Bundled Services Pricing to Enhance Offerings. <b>Order Approving Tariff Revisions</b>	17-S&AT-573-TAR	
6	In the Matter of a General Investigation for Dow Management Company, Inc. d/b/a Avoxi to Show Cause Why this Commission Should Not Initiate Sanctions and Fines and/or refer to the Attorney General's Office for Non-Compliance with Commission Orders and Kansas Statutes. <b>Order to Show Cause</b>	18-DMCV-012-SHO	
7	In the Matter of a General Investigation for Chit Chat Holdings, LLC to Show Cause Why this Commission Should Not Initiate Sanctions and Fines and/or refer to the Attorney General's Office for Non-Compliance with Commission Orders and Kansas Statutes. <b>Order to Show Cause</b>	18-CHCZ-013-SHO	
8	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. <b>Order Approving 2017 Energy Efficiency Rider</b>	17-KCPE-446-TAR	
9	In the Matter of Plains Pipeline, L.P.'s Application for Approval, Pursuant to K.A.R. 82-10-2, of Tariff K.C.C. No. 5.12.0 <b>Order Approving Tariff Revisions</b>	17-PPLP-525-TAR	
10	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. <b>Order Suspending Intrastate Motor Carrier Operations</b>	17-TRAM-494-PEN	
11	In the Matter of the Investigation of Dave's Recycling, Inc. of Plainville, 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. <b>Order Suspending Intrastate Motor Carrier Operations</b>	17-TRAM-500-PEN	
12	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. <b>Order Amending Penalty Order</b>	17-TRAM-569-PEN	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Cigich Hauling LLC of Leavenworth, 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. <b>Penalty Order</b>	18-TRAM-008-PEN	
14	In the matter of the notice of denial of license renewal application to A X & P, Inc. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3701-CMSC	
15	In the matter of the notice of denial of license renewal application to Western Frontier Adventure, LLC <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3702-CMSC	
16	In the matter of the notice of denial of license renewal application to E & B Natural Resources Management Corp. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3703-CMSC	
17	In the matter of the notice of denial of license renewal application to Kansas MB Project, LLC. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	18-CONS-3001-CMSC	
18	In the Matter of the Notice of Denial of License Renewal Application to Petroleum Production Corporation. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	18-CONS-3002-CMSC	
19	In the Matter of the Notice of Denial of License Renewal Application to Black-Travis, Inc. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	18-CONS-3003-CMSC	
20	In the Matter of the Notice of Denial of License Renewal Application to Vantage Petroleum, Inc. <b>Order Closing Docket</b>	18-CONS-3004-CMSC	
21	In the matter of the application of Norstar Petroleum Inc., for authorization to impose a vacuum on its Hume Bros Lease located in the NW/4 of Section 34, Township 29 South, Range 41 West, Stanton County, Kansas. <b>Order Adjusting Procedural Schedule</b>	17-CONS-3403-CVAC	
22	In the matter of the failure of Global Energy Solutions Inc ("Operator") to comply with K.A.R. 82-3-120. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	17-CONS-3697-CPEN	
23	In the matter of the failure of High Plains Production, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Finnup A #1 and Schweer #1-35 wells in Finney County, Kansas. <b>Penalty Order - High Plains Production, LLC</b>	18-CONS-3055-CPEN	
24	In the matter of the failure of Benchmark Energy LLC ("Operator") to comply with K.A.R. 82-3-111 at the Pfeifer #3, Pfeifer 4 #1 and Pfeifer 5 #1 wells in County, Kansas. <b>Penalty Order - Benchmark Energy LLC</b>	18-CONS-3056-CPEN	

**Consent Agenda**

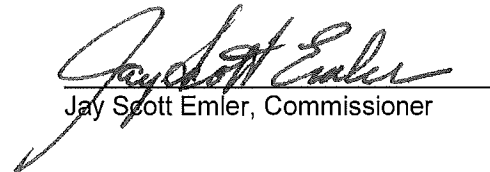
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the Matter of the Emergency Suspension of Operating Authority of Isaac Andoh, d/b/a Shakannah Transport of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b><i>Emergency Suspension of Operating Authority Order</i></b>	18-TRAM-019-OOS	
26	In the Matter of the Emergency Suspension of Operating Authority of Peer Enterprise, LLC of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b><i>Emergency Suspension of Operating Authority Order</i></b>	18-TRAM-020-OOS	
27	In the Matter of the Emergency Suspension of Operating Authority of Rockstar Logistics, LLC of Emporia, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b><i>Emergency Suspension of Operating Authority Order</i></b>	18-TRAM-021-OOS	
28	In the Matter of the Emergency Suspension of Operating Authority of Sarai Trucking Co., Inc. of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b><i>Emergency Suspension of Operating Authority Order</i></b>	18-TRAM-022-OOS	
29	In the Matter of the Emergency Suspension of Operating Authority of Dave's Recycling, Inc. of Plainville, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b><i>Emergency Suspension of Operating Authority Order</i></b>	18-TRAM-023-OOS	
30	In the Matter of the Application of Cox Communications Kansas L.L.C., Filing for Kansas Video Service Authorization. <b><i>Order Granting Amended Video Service Authorization</i></b>	07-CXKC-621-VSA	
31	In the Matter of the Investigation of L & A Trucking of Hays, 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. <b><i>Penalty Order</i></b>	18-TRAM-015-PEN	
32	In the Matter of the Investigation of Arbor Barber Tree L.C. 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. <b><i>Penalty Order</i></b>	18-TRAM-017-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:

  
Lynn M. Retz  
Secretary to the Commission