

**Kansas Corporation Commission**  
**Commission Meeting**  
**August 15, 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 August 15, 2017 in the 1<sup>st</sup> 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 August 15, 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-VMBZ023-KSF**

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

Commissioner Emler moved for approval of order #17-2434, Order Denying Petition for Reconsideration. Commissioner Albrecht seconded the motion.

The motion was approved.

3. **Other matters:**

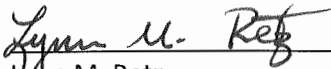
- A. Chairman Apple moved to meet in Executive Session for personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved, for a period of 15 minutes. Also called into the Executive Session was Jared Harsin, Human Resources Director, Commissioner Emler seconded the motion.


The motion was approved.

The Commission moved into Executive Session at 10:04 a.m. and reconvened in public session at 10:19 a.m.

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 August 15, 2017 Commission Meeting at 10:20 a.m.

Respectfully submitted,

  
\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

  
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Pat Apple, Chairman

  
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Shari Feist Albrecht, Commissioner

  
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Jay Scott Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, August 15, 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 Cunningham Communications, Inc. <i>Order Approving Amended Interconnection Agreement</i>	16-SWBT-533-IAT	
2	In the Matter of the Audit of TracFone Wireless, 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 Accepting and Adopting Compliance Report and Closing Docket</i>	17-TFWZ-022-KSF	
3	In the Matter of the Audit of Cricket Wireless LLC 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 Accepting Audit Report and Closing Docket</i>	17-CKTZ-034-KSF	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of H&B Cable Service, Inc. for an Order Confirming Relinquishment of its Eligible Telecommunications Carrier Designation in the Chase Exchange and Notice Pursuant to K.S.A. 2015 Supp. 66-2005(d) of Intent to Cease Participation in the Kansas Lifeline Service Program. <b><i>Order Granting ETC Relinquishment in the Chase Exchange; Acknowledging Cessation of KSLP Participation in the Chase Exchange</i></b>	17-HBCT-508-ETC	
5	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 35, Township 14 South, Range 23 East in Johnson County, Kansas. <b><i>Order Granting Amended Application to Cease Transacting the Business of an Electric Public Utility</i></b>	17-WSEE-422-CCS	
6	In the Matter of the Application of Westar Energy, Inc. for Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in a Portion of Section 35, Township 14 South, Range 23 East, in Johnson County, Kansas. <b><i>Order Granting Certificate of Convenience and Authority</i></b>	17-WSEE-424-COC	
7	In the Matter of the Application of Kansas City Power & Light Company for Authority to Cease Transacting the Business of an Electric Public Utility, Specifically in a Portion of Section 35, Township 14 South, Range 23 East, In Johnson County, Kansas. <b><i>Order Granting Application to Cease Transacting the Business of an Electric Public Utility</i></b>	17-KCPE-559-CCS	
8	In the Matter of the Application of Kansas City Power & Light Company for Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility, Specifically in a Portion of Section 35, Township 14 South, Range 23 East, In Johnson County, Kansas. <b><i>Order Granting Certificate of Convenience and Authority</i></b>	17-KCPE-560-COC	
9	In the Matter of the Application of Kaw Pipe Line Company Revising Its Tariff Rates Based on the FERC Index for 2017. <b><i>Order Approving Tariff Revisions</i></b>	17-KAWP-530-TAR	
10	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. <b><i>Order Amending Penalty Order</i></b>	18-TRAM-004-PEN	
11	In the Matter of the Investigation of David Sherman, d/b/a R & D of Cullison, 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-059-PEN	
12	In the Matter of the Investigation of Double E Trucking, Inc. of Iola, 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-060-PEN	

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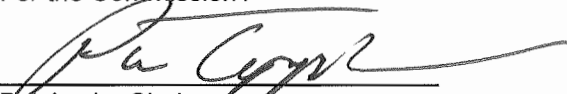
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of David Crossland Trucking, LLC of Atchison, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	18-TRAM-061-PEN	
14	In the Matter of the Investigation of Robert Koehler, d/b/a Koehler Transportation 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. <b>Penalty Order</b>	18-TRAM-066-PEN	
15	In the Matter of the Investigation of Superior Erosion Control Inc. of Hesston, 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 Reinstating Intrastate Motor Carrier Operations</b>	17-TRAM-521-PEN	
16	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. <b>Order Reinstating Motor Carrier Operating Authority</b>	17-TRAM-567-OOS	
17	In the Matter of the Emergency Suspension of Operating Authority of Titan Contracting Group LLC of Leawood, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	18-TRAM-053-OOS	
18	In the Matter of the Emergency Suspension of Operating Authority of D&L Transport OTR LLC of Overland Park, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	18-TRAM-067-OOS	
19	In the matter of the application of Merit Energy Company, LLC, for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kinney Chester Sand Unit 401 well in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 26, Township 34 South, Range 35 West, Stevens County, Kansas. <b>Order Granting Application</b>	17-CONS-3513-CEXC	
20	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 Chaff #7 WIW well located in the SWNW SW of Sec 21, T16S, R21W Ness County, Kansas. <b>Order Granting Application</b>	17-CONS-3643-CEXC	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	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 Latta A #9 well located in the NW SW NE of Sec 8-30S-2W, Sumner County, Kansas. <b>Order Granting Application</b>	18-CONS-3054-CEXC	
22	In the matter of the application of Abercrombie Energy LLC for a third exception to the 10-year time limitation of K.A.R. 82-3-111 for its Owen No. 1 well located in the SE SE of Section 21, Township 12 South, Range 33 West, Logan County, Kansas. <b>Order Granting Application</b>	17-CONS-3534-CEXC	
23	In the matter of the failure of SX54, LLC ("Operator") to report activity that occurred during the 2016 calendar year in compliance with K.A.R. 82-3-409. <b>Default Order</b>	17-CONS-3616-CPEN	
24	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-104 and K.A.R. 82-3-111 at the Flying J Geer #2 OWWO well in Butler County, Kansas. <b>Order Granting Motion to Extend Staff's Time to Respond</b>	17-CONS-3684-CPEN	
25	In the matter of the failure of High Plains Production, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Grimwood #2-13 in Morton County, Kansas. <b>Penalty Order - High Plains Production, LLC</b>	18-CONS-3068-CPEN	
26	In the matter of the failure of Supernova Energy, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Larrison #2, Larrison #3, Larrison #5, Larrison #6, Harrel D #7, Harrel D #8, Harrel D #9, Mason #1, Thompson #1, Mason #2A, Mason #3, Mason #4, Harrel D #3 and Sanders #3 wells in Pratt and Stafford County, Kansas. <b>Penalty Order - Supernova Energy, Inc.</b>	18-CONS-3074-CPEN	
27	In the matter of the failure of VEEM Jade Oil & Gas LLC ("Operator") to comply with K.A.R. 82-3-111 at the Smith A #1 and Smith B #8 wells in Elk County, Kansas. <b>Penalty Order - VEEM Jade Oil &amp; Gas LLC</b>	18-CONS-3076-CPEN	
28	In the matter of the failure of Daystar Petroleum, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Reed 19-9 #1-36 and Keesling 20-9 #1-16 wells in Rice County, Kansas. <b>Penalty Order - Daystar Petroleum, Inc.</b>	18-CONS-3084-CPEN	
29	In the Matter of the Application of Wayne E. Bright for an Operator's License Renewal. <b>Order Rescinding Order Denying Application for License</b>	18-CONS-3059-CMSC	
30	In the Matter of Kansas City Power & Light Company Seeking Commission Approval to Implement Changes in their Transmission Delivery Charges Rate Schedules. <b>Order Approving Transmission Delivery Charge</b>	17-KCPE-440-TAR	

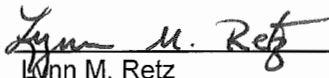
The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :

  
Pat Apple, Chairman

  
Shari Feist Albrecht, Commissioner

  
Jay Scott Emler, Commissioner

Attest:   
Lynn M. Retz  
Secretary to the Commission