

**Kansas Corporation Commission**  
**Commission Meeting**  
**September 19, 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 September 19, 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 Emler moved for approval of the Items on the Consent Agenda dated September 19, 2017 containing pages one through five and are attached to these Minutes. Commissioner Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 17-GIMM-404-KHP**

*In the Matter of the Investigation of Eric B. Smith of Paola, 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.*

Commissioner Albrecht moved for approval of order # 17-2850 - Order Dismissing Violations. Commissioner Emler seconded the motion. Chairman Apple recused himself from participation in this docket.

The motion was approved.

3. **Discussion: FERC MATTER**

- A. **FERC Docket No. EL 16-19**

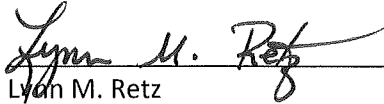
Commissioner Albrecht moved for counsel to file a petition to intervene in FERC Docket No. EL 16-91 pertaining to the SPP tariff and refund authority to preserve the KCC's ability to address any jurisdictional issues. Commissioner Emler seconded the motion. The motion was approved.

- B. **FERC Docket No. CP 09-465**

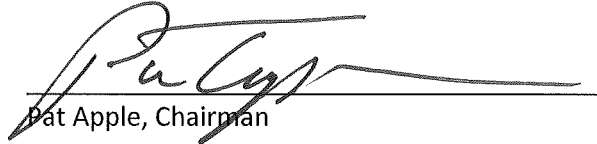
Commissioner Emler moved for counsel to take necessary action in FERC Docket No. CP 09-465, requesting FERC to order Northern Natural Gas Company to show cause why it should not be required to take further remedial action at the Cunningham Storage Field. Commissioner Albrecht seconded the motion. The 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 September 19, 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: Tuesday, September 19, 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 Pratt Well Service, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Smith C #1 in Pratt County, Kansas. <i>Penalty Order - Pratt Well Service, Inc.</i>	18-CONS-3146-CPEN	
2	In the matter of the failure of American Warrior, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Loeppke #1 in Kearney County, Kansas. <i>Penalty Order - American Warrior, Inc.</i>	18-CONS-3148-CPEN	
3	In the matter of the failure of NPF Energy Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Davis C #2 in Phillips County, Kansas. <i>Penalty Order - NPF Energy Corporation</i>	18-CONS-3139-CPEN	
4	In the matter of the failure of Central Operating, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Vaughn #15-1 in Decatur County, Kansas. <i>Penalty Order - Central Operating, Inc.</i>	18-CONS-3140-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of KC Resources, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Cunningham Unit B #2-35 in Pratt County, Kansas. <b>Penalty Order - KC Resources, Inc.</b>	18-CONS-3147-CPEN	
6	In the matter of the failure of Grady Bolding Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Schmeidler B #3 and Schmeidler A #8 in Ellis County, Kansas. <b>Penalty Order - Grady Bolding Corporation</b>	18-CONS-3144-CPEN	
7	In the matter of the failure of Wynn-Crosby Operating, Ltd. ("Operator") to comply with K.A.R. 82-3-111 at the Santa Fe Trail #B-1-3 in Morton County, Kansas. <b>Penalty Order - Wynn-Crosby Operating, Ltd.</b>	18-CONS-3145-CPEN	
8	In the Matter of the Notice of Denial of License Renewal Application to Tailwater, Inc. <b>Order Setting Procedural Schedule</b>	17-CONS-3685-CMSC	
9	In the matter of the failure of JTC Oil, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Day C #OW 10 W, Day J #OW 6 W, Day J #OW 11 W, Cook #2W, Cook #39 W and Cook #W-50 in Linn and Miami County, Kansas. <b>Order Setting Procedural Schedule</b>	17-CONS-3680-CPEN	
10	In the matter of the failure of Kephart Gas Production, a General Partnership ("Operator") to comply with K.A.R. 82-3-120. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	18-CONS-3067-CPEN	
11	In the Matter of the Application of Matador, Inc. for an Operator's License Renewal. <b>Order Setting Procedural Schedule</b>	18-CONS-3060-CMSC	
12	In the matter of the notice of denial of license renewal application to AX & P, Inc. <b>Order Setting Procedural Schedule</b>	17-CONS-3701-CMSC	
13	In the matter of the failure of Novy Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Stice #8 in Rooks County, Kansas. <b>Penalty Order - Novy Oil &amp; Gas, Inc.</b>	18-CONS-3143-CPEN	
14	In the Matter of the Notice of Denial of License Renewal Application to Petroleum Production Corporation. <b>Order Setting Status Conference; Protective and Discovery Orders</b>	18-CONS-3002-CMSC	
15	In the Matter of the Application of Kansas Gas and Electric Company for Approval of the Amendment of the Energy Supply Agreement Between Kansas Gas and Electric Company and Frontier El Dorado Refining Company <b>Suspension Order</b>	18-KG&E-112-CON	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	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 Nineteenth Year of the Kansas Universal Service Fund, Effective March 1, 2015. <b>Order Accepting Final Report</b>	15-GIMT-073-GIT	
17	In the Matter of the Investigation of A & A Auto and Truck Parts, Inc. of Topeka, 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. <b>Order Approving Stipulated Settlement Agreement</b>	17-GIMM-528-KHP	
18	In the Matter of the 2017 Wolf Creek Triennial Decommissioning Financing Plan. <b>Order Designating Prehearing Officer; Granting CURB Intervention; Protective and Discovery Order</b>	18-WCNE-107-GIE	
19	In the Matter of the Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Merger of Westar Energy, Inc. and Great Plains Energy Incorporated. <b>Order Granting Intervention to IBEW, Local Unions No. 412, 1464, and 1613</b>	18-KCPE-095-MER	
20	In the Matter of the Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Merger of Westar Energy, Inc. and Great Plains Energy Incorporated. <b>Order Granting Intervention to Kansas Industrial Consumers Group, Inc.</b>	18-KCPE-095-MER	
21	In the Matter of the Investigation of MPI Recovery, LLC of Conway 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-123-PEN	
22	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. <b>Order Suspending Motor Carrier Operations</b>	17-GIMM-269-KHP	
23	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. <b>Order Granting Second Uncontested Request for Extension of Deadline to File Proposed Tariff Revisions</b>	15-MKEE-461-TAR	
24	In the Matter of the Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Merger of Westar Energy, Inc. and Great Plains Energy Incorporated. <b>Order Nunc Pro Tunc Granting Intervention to Kansas Electric Power Cooperative, Inc.</b>	18-KCPE-095-MER	

**Consent Agenda**


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the Matter of the Investigation of Road Hog & Son Trucking of Grain Valley, LLC of Grain Valley, 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. <i>Order Suspending Motor Carrier Operations</i>	18-GIMM-132-KHP	
26	In the Matter of Mid-America Pipeline Company, LLC Filing for Approval of K.C.C. Tariff 18.6.0, Canceling K.C.C. Tariff 18.5.0, Implementing Increased Rates based on FERC Indexing Methodology. <i>Order Approving Tariff Revisions</i>	17-MDAP-501-TAR	
27	In the Matter of the Investigation of Helt Supply, LLC of Cherryvale, 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 Assessment</i>	18-TRAM-086-PEN	
28	In the Matter of the Investigation of O & V Trucking LLC of Garden City, 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>Penalty Order</i>	18-TRAM-128-PEN	
29	In the Matter of the Investigation of Eco Green, Inc. 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. <i>Penalty Order</i>	18-TRAM-122-PEN	
30	In the Matter of the Investigation of Freddy Van's Construction, Inc. 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. <i>Penalty Order</i>	18-TRAM-130-PEN	

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

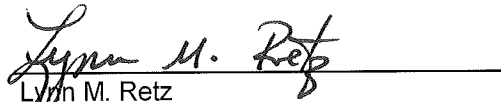
For the Commission :

  
Pat Apple, Chairman

  
Shari Feist Albrecht, Commissioner

  
Jay Scott Emler, Commissioner

Attest:

  
Lynn M. Retz  
Secretary to the Commission