

Kansas Corporation Commission
Commission Meeting
October 26, 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 October 26, 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 October 26, 2017 containing pages one through four and are attached to these Minutes. Commissioner Emler 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 Emler moved for approval of order #17-3186 – *Order on Petition for Reconsideration*. Commissioner Albrecht seconded the motion. Chairman Apple recused himself from the proceedings.

The motion was approved.

- B. **Docket No. 15-GIMG-343-GIG**

In the Matter of a General Investigation Regarding the Acceleration of Replacement of Natural Gas Pipelines Constructed of Obsolete Materials Considered to be a Safety Risk.

Commissioner Emler moved for approval of order #17-3185 – *Order on Petitions for Reconsideration*. Chairman Apple seconded the motion. Commissioner Albrecht dissented.

The motion was approved.

3. Discussion: *FERC Matter*

A. FERC Docket No. EC17-171

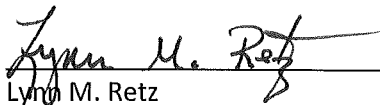
Commissioner Albrecht moved to authorize Commission counsel to file a petition for intervention and such comments as may be necessary to protect Kansas' ratepayers in FERC Docket No. EC17-171. Commissioner Emler seconded the motion. The motion was approved.

B. FERC Docket No. ER10-2074

Commissioner Emler moved to authorize counsel to file a doc-less intervention and such comments as may be necessary to protect Kansas' ratepayers in FERC Docket No. ER10-2074. 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 October 26, 2017 Commission Meeting at 10:08 a.m.

Respectfully submitted,



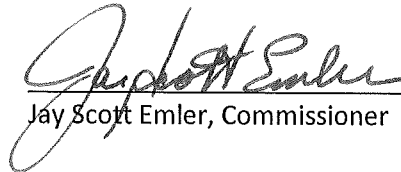
Lynn M. Retz
Secretary to the Commission



Pat Apple, Chairman



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, October 26, 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 Kansas Gas Service, a Division of ONE Gas, Inc. for Approval of an Accounting Order to Track Expenses Associated with the Investigating, Testing, Monitoring, Remediating and Other Work Performed at the Manufactured Gas Plant Sites Managed by Kansas Gas Service. <i>Order Canceling Hearing</i>	17-KGSG-455-ACT	
2	In the Matter of the Investigation to Determine the Assessment Rate for the Twenty –Second Year of the Kansas Universal Service Fund, Effective March 1, 2018. <i>Order Approving Traffic Factors for New Cingular Wireless PCS LLC dba AT&T Mobility and Cricket Wireless L</i>	18-GIMT-084-GIT	
3	In the Matter of the Application for Approval of a Commercial Mobile Radio Services (CMRS) Agreement Between Embarq Missouri Inc. d/b/a CenturyLink, United Telephone Company of Kansas d/b/a Century Link, United Telephone Company of Southcentral Kansas d/b/a Century Link, United Telephone Company of Eastern Kansas d/b/a Century Link, and Onvoy Spectrum, LLC Pursue to The Telecommunications Act of 1996 <i>Order Approving Commercial Mobile Radio Services (CMRS) Agreement</i>	18-USET-089-IAT	

Consent Agenda

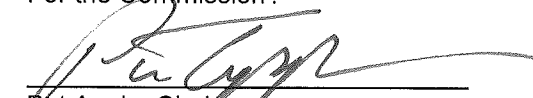
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of a Petition for Commission Review of a NANPA or PA Decision to Withhold Growth Numbering Resources Followi the Expedited Review Process for the Assignment of Numbering Resources in the Great Bend, Kansas Rate Center. Order Overturning NANPA's Decision Denying Teleport Communications America LLC an Additiona Number Block	18-TCAT-164-MIS	
5	In the Matter of the Investigation of Kansas Gas Service, A Division of ONE Gas, Inc. of Overland Park, 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	18-DPAX-166-PEN	
6	In the Matter of the Investigation of David Sherman, d/b/a R & D of Cullison, Kansas, Regarding the Violation(s) of the Motor Carri 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 Assessment	18-TRAM-059-PEN	
7	In the Matter of the Investigation of Mike's Moving Pros, LLC of Topeka, 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-167-PEN	
8	In the Matter of the Investigation of Cesar Suarez Rios, d/b/a South Rivers Transport 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. Penalty Order	18-TRAM-168-PEN	
9	In the Matter of the Investigation of Rodriguez Mechanical Contractors, Inc. of Kansas 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. Penalty Order	18-TRAM-170-PEN	
10	In the Matter of the Emergency Suspension of Operating Authority of Shelby Seck and Michael Ryan Johnson, d/b/a Johnson Tre Service of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safe Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	18-TRAM-169-OOS	
11	In the matter of the failure of Jason Oil Company, LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Hoffman #1 in Ellis County, Kansas. Penalty Order - Jason Oil Company, LLC	18-CONS-3185-CPEN	
12	In the matter of the failure of Staab Oil Co., a General Partnership ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-1; at the Todd Hixon Road #1 in Trego County, Kansas. Penalty Order - Staab Oil Co., a General Partnership	18-CONS-3186-CPEN	

Consent Agenda


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the matter of the failure of Royal Energy, Inc. ("Operator") to comply with K.A.R. 82 3-117 at the Gottschalk #1 well in Ness County, Kansas. <i>Penalty Order - Royal Energy, Inc.</i>	18-CONS-3187-CPEN	
14	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82 3-602 at the Wright #1 OWWO well in Butle County, Kansas. <i>Penalty Order - Benjamin M. Giles</i>	18-CONS-3188-CPEN	
15	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82 3-608 at the Wright #1 OWWO well in Butle County, Kansas. <i>Penalty Order - Benjamin M. Giles</i>	18-CONS-3189-CPEN	
16	In the Matter of the Application of Black Gold Oil, LLC for an Operator's License. <i>Order Directing Staff to Approve License Application, Cancelling Prehearing Conf., and Closing Docket</i>	18-CONS-3119-CMSC	

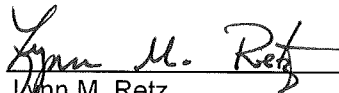
The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :


Pat Apple, Chairman


Shari Feist Albrecht, Commissioner


Jay Scott Emler, Commissioner

Attest: 
Lynn M. Retz
Secretary to the Commission