

Kansas Corporation Commission
Commission Meeting
November 2, 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 November 2, 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 November 2, 2017 containing pages one through three and are attached to these Minutes. Commissioner Emler seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 16-GIME-403-GIE**

In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers

Commissioner Emler moved for approval of order #17-3307 – *Order on Petition for Reconsideration*. Commissioner Albrecht seconded the motion.

The motion was approved.

- B. **Docket No. 17-CONS-3516-CUNI**

In the Matter of the Application of Lario Oil & Gas Company for an Order Authorizing the Unitization and Unit Operations of the Feiertag Unit in Scott County, Kansas.

Commissioner Emler moved for approval of order #17-3281 – *Order on Lario's Unitization Application*. Commissioner Albrecht seconded the motion.

The motion was approved.

- C. **Docket No. 15-WSEE-509-COM**

In the Matter of the Complaint Against Westar by Cathy J. Pechin.

Commissioner Emler moved for approval of order #17-3261 – *Order on Tariff Violations*. Commissioner Albrecht seconded the motion.

The motion was approved.

D. Docket No. 18-KCPE-095-MER

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.

Commissioner Albrecht moved for approval of order #17-3286 – *Order Granting Limited Intervention to Sierra Club, Climate Energy Project, and Brightergy*. Commissioner Emler seconded the motion.

The motion was approved.

3. Discussion: FERC Matter

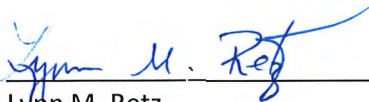
A. FERC Docket No. EL18-20

Commissioner Emler moved to authorize counsel to file a petition for intervention and comments as may be necessary to protect Kansas' ratepayers in FERC Docket No. EL18-20. Commissioner Albrecht seconded the motion.

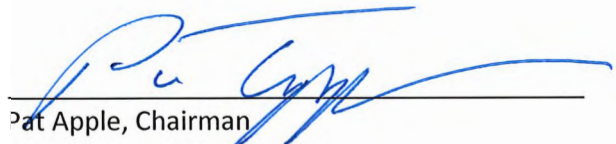
The motion was approved.

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 November 2, 2017 Commission Meeting at 10:08 a.m.

Respectfully submitted,



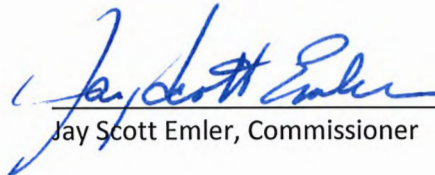
Lynn M. Retz
Secretary to the Commission



Pat Apple, Chairman



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, November 2, 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 JBM Oil, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - JBM Oil, LLC</i>	18-CONS-3197-CPEN	
2	In the matter of the failure of Urban H. Hickert dba Tyrok ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Urban H. Hickert dba Tyrok</i>	18-CONS-3190-CPEN	
3	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 Twenty-First Year of the Kansas Universal Service Fund, Effective March 1, 2017. <i>Order Approving Traffic Factors for NetFortris Acquisition Co. Inc.</i>	17-GIMT-008-GIT	
4	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 Twenty-First Year of the Kansas Universal Service Fund, Effective March 1, 2017. <i>Order Approving Traffic Factors for Matrix Telecom, LLC</i>	17-GIMT-008-GIT	

Consent Agenda

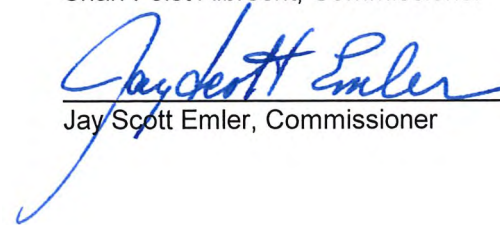
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Twenty-First Year of the Kansas Universal Service Fund, Effective March 1, 2017. Order Approving Traffic Factors for Flash Wireless, LLC	17-GIMT-008-GIT	
6	In the Matter of the Application of Kansas City Power & Light Company for Approval of 2016 Actual Cost Adjustment ("ACA") Order Approving Annual Cost Adjustment	17-KCPE-400-ACA	
7	In the Matter of the Joint Application of Mid-Kansas Electric Company, LLC, Sunflower Electric Power Corporation, Prairie Land Electric Cooperative, Inc., Pioneer Electric Cooperative, Inc., The Victory Electric Cooperative Association, Inc., Western Cooperative Electric Association, Inc., Wheatland Electric Cooperative, Inc. and Southern Pioneer Electric Company for Approval a Local Access Tariff and Mid-Kansas and Sunflower Open Access Transmission Tariff Order Designating Prehearing Officer; Protective and Discovery Orders	18-MKKE-160-TFR	
8	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Twin Valley Communications, Inc. Order Approving Amended Interconnection Agreement	08-SWBT-455-IAT	
9	In the Matter of the Investigation of Schuster Battery Co., d/b/a Interstate Batteries Northern Kansas 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-181-PEN	
10	In the Matter of the Investigation of Ruben Peregrino, d/b/a Double R Livestock 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-182-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