

Kansas Corporation Commission
Commission Meeting
November 21, 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 21, 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:** Chairman Apple announced the Consent Agenda has 19 not 20 items to be considered. Staff requested removal of Docket Number 18-CONS-3216-CPEN, no action will be taken on that docket. Commissioner Emler moved for approval of the Items on the Consent Agenda dated November 21, 2017 containing pages one through four and are attached to these Minutes. Commissioner Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **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 Emler moved for approval of order #17-3413 – *Order on Petitions for Reconsideration*. Commissioner Albrecht seconded the motion.

The motion was approved.

- B. **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 #17-3431 – *Order Setting Procedural Schedule*. Commissioner Emler seconded the motion.

The motion was approved.

C. **Docket No. 17-KGSG-455-ACT**

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.

Commissioner Emler moved for approval of order #17-3476 – *Order on Unanimous Settlement Agreement*. Commissioner Albrecht seconded the motion.

The motion was approved.

D. **Docket No. 17-CONS-3429-CBSO**

In the Matter of the Application of Duncan Energy Company and Farleigh Oil Properties for an exception to certain regulations of this Commission otherwise applicable to gas wells producing coalbed methane gas in Jackson, Pottawatomie, Nemaha, Shawnee, Jefferson, Brown, and Osage Counties, Kansas.

Commissioner Emler moved for approval of order #17-3440 – *Final Order*. Commissioner Albrecht seconded the motion.

The motion was approved.

E. **Docket No. 18-CONS-3224-CINV**

In the Matter of a General Investigation to Examine the Legal Issues Pertaining to the Notice Requirements for Applications, Filed Between October 2008 and the Present, Seeking Underground Injection of Salt Water Pursuant to K.A.R. 82-3-402.

Commissioner Albrecht moved for approval of order #17-3469 – *Order Opening General Investigation*. Commissioner Emler seconded the motion.

The motion was approved.

3. **Discussion/Presentation Item(s):**

Request to Purchase Replacement Vehicles: Neysa Thomas, Director of Finance requested authorization to purchase three vehicles immediately, one for transportation and two for pipeline safety. Further, requested authorization to purchase one vehicle for conservation if determined necessary. Commissioner Emler moved for approval of the purchases as requested. Commissioner Albrecht seconded the motion.

The motion was approved.

4. **Other matters:**

- A. Chairman Apple moved to meet in Executive Session for 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 Erin McGinnis, Human Resources Director. Commissioner Emler seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:11 a.m. and reconvened in public session at 10:26 a.m.

- B. Chairman Apple renewed the previous motion to meet in Executive Session for matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved , for a period of 10 minutes. Also called into the Executive Session was Erin McGinnis, Human Resources Director. Commissioner Emler seconded the motion.

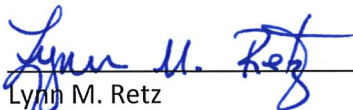
The motion was approved.

The Commission moved into Executive Session at 10:27 a.m. and reconvened in public session at 10:37 a.m.

No action was taken.

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 21, 2017 Commission Meeting at 10:38 a.m.

Respectfully submitted,



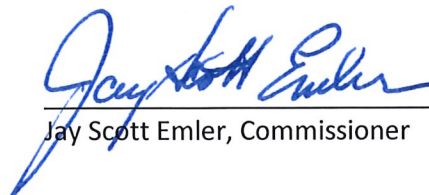
Lynn M. Retz
Secretary to the Commission



Pat Apple, Chairman



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, November 21, 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 Cox Communications Kansas L.L.C., Filing for Kansas Video Service Authorization. <i>Order Granting Amended Video Service Authorization</i>	07-CXKC-621-VSA	
2	In the Matter of the Application of The Empire District Electric Company for Approval of its Annual Energy Cost Adjustment ("ACA") Filing <i>Order Approving Annual Cost Adjustment</i>	17-EPDE-226-ACA	
3	In the Matter of the Application of Westar Energy, Inc. for Approval of 2016 Actual Cost Adjustment ("ACA") <i>Order Approving Annual Correction Adjustment</i>	17-WSEE-425-ACA	
4	In the Matter of the Investigation of New Image Concrete Design, LLC of Lenexa, 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). <i>Penalty Order</i>	18-DPAX-202-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Notice of Denial of License Renewal Application to Downing-Nelson Oil Co., Inc. <i>Order Cancelling Evidentiary Hearing, Closing Docket, and Authorizing Staff to Process Operator's License Renewal App.</i>	17-CONS-3669-CMSC	
6	In the matter of the application of Remco Energy Corporation, to amend the injection permit for the Heintzelman #4 enhanced recovery injection well located in Section 18, Township 8 South, Range 22 East, Leavenworth County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3208-CUIC	
7	In the matter of the application of H2Oil Opco, LLC, to authorize injection of saltwater into the Reagan formation at the Wagner Unit #1 well located in Section 29, Township 18 South, Range 16 East, Rush County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3209-CUIC	
8	In the matter of the application of Evans Oil Inc., to authorize injection of saltwater into the Bartlesville formation at the R.E. Camp Lease #2-OE and the R.E. Camp Lease #7-OE wells located in Section 36; the R.E. Camp #20-OE, R.E. Camp #22 OE and the R.E. Camp #23-OE wells located in Section 35, all in Township 23 South, Range 21 East, Bourbon County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3210-CUIC	
9	In the matter of the failure of H & M Petroleum Corporation ("Operator") to comply with K.A.R. 82-3-111 at the Triple Creek #7 in Trego County, Kansas. <i>Shut-In Order</i>	18-CONS-3150-CPEN	
10	In the matter of the failure of Prairie Gas Operating, LLC ("Operator") to comply with K.A.R. 82-3-603 and K.A.R. 82-3-604 at five wells in Greeley and Hamilton County, Kansas. <i>Penalty Order - Prairie Gas Operating, LLC</i>	18-CONS-3181-CPEN	
11	In the matter of the failure of Scout Energy Management LLC ("Operator") to comply with K.A.R. 82-3-407 at the Northwest Flats Unit #3-3 in Morton County, Kansas. <i>Penalty Order - Scout Energy Management LLC</i>	18-CONS-3215-CPEN	
12	In the matter of the failure of Stephen B. Nichepor ("Operator") to comply with K.A.R. 82-3-111 at the Nichepor #1-32H and Nichepor #1 SWD in Ness County, Kansas. <i>Penalty Order - Stephen B. Nichepor</i>	18-CONS-3217-CPEN	
13	In the matter of the failure of Merit Energy Company, LLC ("Operator") to comply with K.A.R. 82-3-603 at Wilburton Morrow Sand Unit #1107 in Morton County, Kansas. <i>Penalty Order - Merit Energy Company, LLC</i>	18-CONS-3218-CPEN	
14	In the matter of the failure of RJM Company ("Operator") to comply with K.A.R. 82-3-111 at the Williams #1-C in Rice County, Kansas <i>Penalty Order - RJM Company</i>	18-CONS-3219-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of the failure of Duke Oil & Gas Company, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Butler #6 SWD in Woodson County, Kansas. <i>Penalty Order - Duke Oil & Gas Company, LLC</i>	18-CONS-3220-CPEN	
16	In the matter of the failure of VEEM Jade Oil & Gas LLC ("Operator") to comply with K.A.R. 82-3-111 at the Daves #D21, Smith A #2, Smith B #10 and Smith B #12 in Elk County, Kansas. <i>Penalty Order - VEEM Jade Oil & Gas LLC</i>	18-CONS-3221-CPEN	
17	In the matter of the failure of JPCKS, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - JPCKS, LLC</i>	18-CONS-3223-CPEN	
18	In the matter of the failure of REH Oil and Gas LLC ("Operator") to comply with K.A.R. 82-3-111 at the Conrad #30-1 in Clark County, Kansas. <i>Penalty Order - REH Oil and Gas LLC</i>	18-CONS-3226-CPEN	
19	In the matter of the failure of Seth Farmer ("Operator") to comply with K.A.R. 82-3-120. <i>Order Dismissing Protest, Cancelling Evidentiary Hearing, and Closing Docket</i>	17-CONS-3524-CPEN	

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