

**Kansas Corporation Commission**  
**Commission Meeting**  
**December 12, 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 December 12, 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 December 12, 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-CONS-3127-CSHO**

*In the Matter of an Order to Show Cause issued to Jaed Production Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license.*

Commissioner Emler moved for approval of order #17-3837 - *Order on Staff's Petition for Clarification and/or Reconsideration*. Commissioner Albrecht seconded the motion.

The motion was approved.

- B. **Docket No. 17-CONS-3362-CINV**

*In the Matter of a General Investigation into potential Commission rulemaking regarding responsibility for abandoned wells.*

Commissioner Emler moved for approval of order #17-3848 - *Order*. Commissioner Albrecht seconded the motion.

The motion was approved.

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

- Approval of KCC Policy Number 17-02**

*Field and Remote Staff Laptop Computer Security*

Commissioner Emler moved for approval of KCC Policy Number 17-02. 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 December 12, 2017 Commission Meeting at 10:03 a.m.

Respectfully submitted,

  
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Lynn M. Retz  
Secretary to the Commission

  
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Pat Apple, Chairman

  
\_\_\_\_\_  
Shari Feist Albrecht, Commissioner

  
\_\_\_\_\_  
Jay Scott Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, December 12, 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, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Trinsic Communications, Inc.<br><i>Order Approving Amended Interconnection Agreement</i> | 06-SWBT-376-IAT |         |
| 2        | In the Matter of the Application of Time Warner Cable Midwest LLC, d/b/a Time Warner Cable Filing for Kansas Video Service Authorization.<br><i>Order Granting Video Service Authorization</i>   | 13-TWMC-206-VSA |         |
| 3        | In the Matter of an Investigation to Address CenturyLink's CAF II and KUSF Support.<br><i>Order Adopting Staff's Report and Recommendation</i>   | 16-GIMT-511-GIT |         |
| 4        | In the Matter of the Application of Cincinnati Bell Any Distance Inc. to Change its Name to CBTS Technology Solutions LLC<br><i>Order Approving Name Change</i>  | 18-BWTC-194-CCN |         |

## Consent Agenda

| ITEM NO. | DESCRIPTION   | DOCKET NUMBER     | REMOVED |
|----------|---|-------------------|---------|
| 5        | In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of their Direct Renewable Participation Service Tariff<br><i>Order Granting Wal-Mart Stores, Inc.'s Petition to Intervene</i>  | 18-WSEE-190-TAR   |         |
| 6        | In the Matter of a General Investigation to Determine the Commission's Jurisdiction Over Municipal Energy Agencies<br><i>Order Granting Empire's Motion to File Entry of Appearance Out of Time</i>   | 18-GIME-217-GIE   |         |
| 7        | In the Matter of the Investigation of Schiffelbein Auto Repair, Inc 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.<br><i>Penalty Order</i>                  | 18-TRAM-232-PEN   |         |
| 8        | In the Matter of the Investigation of K & L Tank Truck Service, Inc. 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.<br><i>Penalty Order</i>                 | 18-TRAM-233-PEN   |         |
| 9        | In the Matter of the Investigation of Hector D. Urteaga, d/b/a Papa Trucking 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.<br><i>Penalty Order</i>         | 18-TRAM-235-PEN   |         |
| 10       | In the matter of the application of H2OIL Opco, LLC to drill the Wagner Unit #2 in Rush County, Kansas as a horizontally drilled well pursuant to K.A.R. 82-103A.<br><i>Order Granting Application</i>  | 18-CONS-3176-CHOR |         |
| 11       | In the Matter of the Application of Shelby Resources, LLC, for an Order Authorizing the Drilling of the Brubaker # 1-17H as a Horizontal Wellbore upon its Brubaker Unit located in Pratt County, Kansas.<br><i>Order Granting Application</i>  | 18-CONS-3192-CHOR |         |
| 12       | 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 502 well in the Southwest Quarter of the Southwest Quarter of Section 25, Township 34 South, Range 35 West, Stevens County, Kansas.<br><i>Order Granting Application</i> | 18-CONS-3166-CEXC |         |
| 13       | 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 Cook WFU #8X WIW located in the SE SE of Sec 15, T11S, R33W Logan County, Kansas.<br><i>Order Granting Application</i>   | 18-CONS-3179-CEXC |         |

**Consent Agenda**

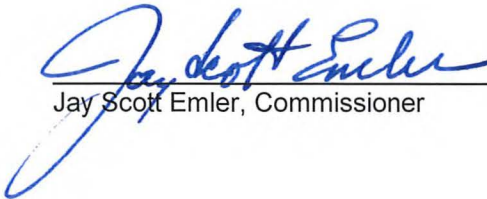
| ITEM NO. | DESCRIPTION  | DOCKET NUMBER     | REMOVED |
|----------|--|-------------------|---------|
| 14       | In the matter of the application of Berexco LLC for a third exception to the 10-year time limitation of K.A.R. 82-3-111 for its Coggins #1 well located in the NW NW NW SW of Sec 9, T35S, R02E Sumner County, Kansas.<br><i>Order Granting Application</i>  | 18-CONS-3184-CEXC |         |
| 15       | In the matter of the application of Casillas Petroleum Corp. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for 1 well located in the Pleasant Prairie Field in Haskell County, Kansas.<br><i>Order Granting Application</i>   | 18-CONS-3191-CEXC |         |
| 16       | In the matter of the application of Berexco LLC for an exception of the 10-year time limitation of K.A.R. 82-3-111 for its Stamper A #2 well located in NW/4 NW/4 SE/4 SE/4 of Sec 28, T8S, R17W, Rooks County, Kansas.<br><i>Order Granting Application</i>   | 18-CONS-3198-CEXC |         |
| 17       | In the matter of the Application of Fossil Creek Energy, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Krug A #6 well located in the NW/4 of Section 26, Township 14 South, Range 14 West, Russell County, Kansas.<br><i>Order Granting Application</i>                           | 18-CONS-3239-CEXC |         |
| 18       | In the matter of the failure of HPH Kansas LLC ("Operator") to comply with K.A.R. 82-3-120.<br><i>Penalty Order - HPH Kansas LLC</i>   | 18-CONS-3243-CPEN |         |
| 19       | In the matter of the failure of Long and Ware Oil, a General Partnership ("Operator") to comply with K.A.R. 82-3-120.<br><i>Penalty Order - Long and Ware Oil, a General Partnership</i>   | 18-CONS-3244-CPEN |         |
| 20       | In the matter of the failure of Calgary Energy, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Rogers Estate #14 in Marion County, Kansas.<br><i>Penalty Order - Calgary Energy, LLC</i>   | 18-CONS-3246-CPEN |         |
| 21       | 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.<br><i>Order Cancelling Settlement Deadline, Procedural Schedule, and Evidentiary Hearing</i> | 17-CONS-3680-CPEN |         |
| 22       | In the matter of the failure of Blake Exploration, LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the WU #1 in Logan County, Kansas.<br><i>Order Rescinding Penalty</i>  | 18-CONS-3236-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