

Kansas Corporation Commission
Commission Meeting
January 23, 2018
2:00 p.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 2:00 p.m. on January 23, 2018 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chair Albrecht, Commissioner Emler and Commissioner Apple. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Emler moved for approval of the Items on the Consent Agenda dated January 23, 2018 containing pages one through three and are attached to these Minutes. Commissioner Apple seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 17-CONS-3529-CMSC**

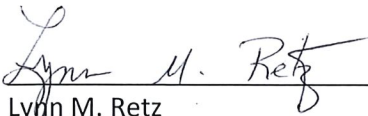
In the Matter of the Notice of Denial of License Renewal Application to Agriculture Energy Services.

Commissioner Emler moved for approval of order #18-0217 – *Order on Agricultural Energy Services' Motion for Summary Judgment*. Commissioner Apple seconded the motion. Chair Albrecht dissented.

The motion was approved. Chair Albrecht entered a dissenting opinion that is attached to the order.

There being no further matters before the Commission, Commissioner Emler moved for adjournment of the Commission meeting. Commissioner Apple seconded the motion. The motion was approved. The Commission adjourned the January 23, 2018 Commission Meeting at 2:15 p.m.

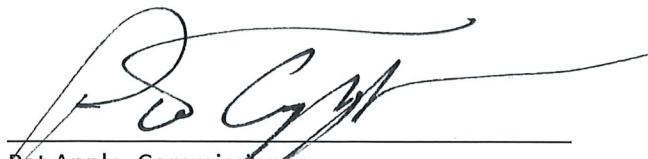
Respectfully submitted,



Lynn M. Retz
Secretary to the Commission



Shari Feist Albrecht, Chair



Pat Apple, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, January 23, 2018

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 Municipal Energy Agency for Approval of Project Agreements <i>Suspension Order</i>	18-KAME-301-CON	
2	In the Matter of the Complaint Against Kansas Municipal Energy Agency, Respondent by City of Pratt, Complainant <i>Order Accepting Formal Complaint and Adopting Staff's Memorandum</i>	18-KAME-156-COM	
3	In the matter of the failure of Norman H. Mills ("Operator") to comply with K.A.R. 82-3-120. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3126-CPEN	
4	In the matter of the failure of Cherokee Wells LLC ("Operator") to comply with K.A.R. 82 3-111 at the W Oakes #A-1, Presbytery #A-1, Lett #A-1, R Smith #A-1, Elsberry #A 1, K Smith #A-1, Reutlinger #A-1, R Compton Trust #B1-3 and M M Koehn #C3-31 in Elk and Wilson County, Kansas. <i>Order Approving Settlement Agreement</i>	18-CONS-3173-CPEN	

Consent Agenda

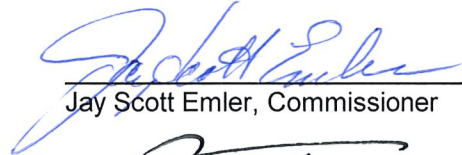
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Investigation of Kansas Gas Service, A Division of ONE Gas, Inc., of Overland Park, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	18-DPAX-277-PEN	
6	In the Matter of the Investigation of T R L Trucking LLC 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. Order Suspending Intrastate Motor Carrier Operations	16-TRAM-153-PEN	
7	In the Matter of the Investigation of Hilger Trucking, LLC of Norwich, 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. Order Amending Penalty Assessment	18-TRAM-253-PEN	
8	In the Matter of the Investigation of Flying S Trucking LLC of McCune, 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-297-PEN	
9	In the Matter of the Investigation of Agape Trenching Etc. LLC of Geuda 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. Penalty Order	18-TRAM-298-PEN	
10	In the Matter of the Investigation of Leonia 2 LLC, d/b/a Leonia's Crescent Limousine of Topeka, Kansas, Regarding the Violation 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-302-PEN	
11	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-295-PEN	

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

For the Commission :



Shari Feist Albrecht, Chair

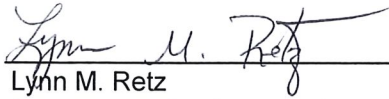


Jay Scott Emler, Commissioner



Pat Apple, Commissioner

Attest:



Lynn M. Retz
Secretary to the Commission