

Kansas Corporation Commission
Commission Meeting
February 15, 2018
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 February 15, 2018 in the 1st Floor Hearing Room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

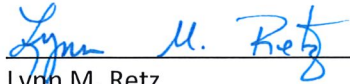
Present: Chair Albrecht and Commissioner Emler. Commissioner Apple was absent. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Emler moved for approval of the Items on the Consent Agenda dated February 15, 2018 containing pages one through five which are attached to these Minutes. Chair 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. Chair Albrecht seconded the motion. The motion was approved. The Commission adjourned the February 15, 2018 Commission Meeting at 10:01 a.m.

Respectfully submitted,



Lynn M. Retz
Secretary to the Commission



Shari Feist Albrecht, Chair

Absent

Pat Apple, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, February 15, 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 a General Investigation Regarding Whether Electric Utilities Should be Considered an "Operator" of Private Underground Lines Under the Provisions of the Kansas Utility Damage Prevention Act. <i>Amended Order Establishing Further Proceedings</i>	17-GIME-565-GIV	
2	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. <i>Order Granting Intervention to IBEW, Local Union #304</i>	18-KCPE-095-MER	
3	In the Matter of the Application of the City of Wamego for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas <i>Order Granting Certificate of Convenience and Authority</i>	18-WAME-283-COC	
4	In the Matter of the Application of Bluestem Electric Cooperative, Inc. for Permission to Cease Operating as an Electric Public Utility at an Annexed Portion of Said Section 10, Township 10 South, Range 10 East <i>Order Granting Application Cease Transacting the Business of an Electric Public Utility</i>	18-BECE-315-CCS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of The Empire District Electric Company a Liberty Utilities Company for the Ad Valorem Tax Surcharge Rider Tariff Adjustment Annual True-Up for 2018 <i>Order Granting CURB's Petition to Intervene</i>	18-EPDE-327-TAR	
6	In the Matter of the Application of Mid-Kansas Electric Company, Inc. for Approval of the City of Montezuma Firm Energy, Capacity, and Load Following Agreement <i>Suspension Order 9-29-18</i>	18-MKEE-329-CON	
7	In the Matter of the Application of Brown-Atchison Electric Cooperative for Permission to Cease Operating as a(n) Electric Utility in the State of Kansas. Specifically in portion of Section 12, Township 8 South, Range 17 East, Jefferson County, Kansas. <i>Order Assessing Costs</i>	18-BRAE-331-CCS	
8	In the Matter of the Application of Wheatland Electric Cooperative for Permission to Cease Operating as a(n) Electric Public Utility Inside the City Limits of the City of Garden City, KS in the State of Kansas. <i>Order Assessing Costs</i>	18-WHLE-332-CCS	
9	In the Matter of the Application of FreeState Electric Cooperative for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas Jefferson <i>Order Assessing Costs</i>	18-FSEE-337-COC	
10	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 Allocation Methodology Utilized by NE Colorado Cellular, Inc. dba Viaero Wireless</i>	17-GIMT-008-GIT	
11	In the Matter of the Application of Bluestem Telephone Company Filing Tariff Revisions to its General Exchange Tariff <i>Order Assessing Costs</i>	18-BSTT-333-TAR	
12	In the Matter of the Application of FairPoint Communications Missouri Inc. Filing Tariff Revisions to its General Exchange Tariff <i>Order Assessing Costs</i>	18-FCMT-334-TAR	
13	In the Matter of the Application of Sunflower Telephone Company Filing Tariff Revisions to its General Exchange Tariff <i>Order Assessing Costs</i>	18-SFLT-335-TAR	
14	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. <i>Order Reinstating Intrastate Motor Carrier Operations</i>	16-TRAM-153-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Investigation of Don Wasylik, d/b/a Klysw Express of Junction 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	18-TRAM-228-PEN	
16	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. Order Suspending Intrastate Motor Carrier Operations	18-TRAM-235-PEN	
17	In the Matter of the Investigation of Limb to Limb Tree Service, LLC of Olathe, 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-294-PEN	
18	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-318-PEN	
19	In the Matter of the Emergency Suspension of Operating Authority of Rene & Katy Delivery LLC of Kansas City, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	18-TRAM-324-OOS	
20	In the Matter of the Emergency Suspension of Operating Authority of Safe Trucking, LLC of Overland Park, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	18-TRAM-330-OOS	
21	In the matter of the application of Weinkauf Petroleum, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Rexroad #1 well located in the SE/4 of Section 34, Township 33 South, Range 29 West, Meade County, Kansas. Order Denying Applicant's Motion and Order to Supplement the Record	17-CONS-3693-CEXC	
22	In the matter of the notice of denial of license renewal application to Western Frontier Adventure, LLC Order Denying Settlement Agreement; Order to Supplement the Record and Show Cause	17-CONS-3702-CMSC	

Consent Agenda

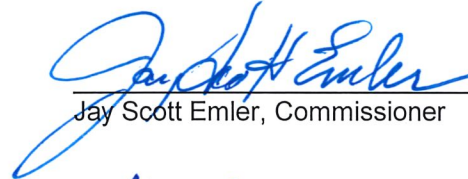
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the matter of the application of Eagle Energy Resources, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kurtenbach #1 API#15-127-20287-00-01 NE/4 NE/4 of NE/4 Sec 15, T16S, R5E, Morris County, Kansas. <i>Order Consolidating Dockets, Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3078-CEXC	
23	In the matter of the application of Eagle Energy Resources, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kurtenbach #3 API # 15-127-20378-00-00 SE/4, NE/4, NE/4 Sec 15, T16S, R5E, Morris County, Kansas. <i>Order Consolidating Dockets, Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3079-CEXC	
23	In the matter of the application of Eagle Energy Resources, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Rindt #23-1 API # 15-127-20423-00-02 NE/4, NE/4, NW/4 Sec 23, T16S, R5E, Morris County, Kansas. <i>Order Consolidating Dockets, Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3080-CEXC	
23	In the matter of the application of Eagle Energy Resources, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Rindt #23-2 API # 15-127-20454-00-00 SW/4, NE/4, NW/4 Sec 23, T16S, R5E, Morris County, Kansas. <i>Order Consolidating Dockets, Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3081-CEXC	
24	In the Matter of the Application of Trans Pacific Oil Corporation for a Well Location Exception for the J. William Unit #3-29 Well in Section 29, Township 14 South, Range 32 West, Logan County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3240-CWLE	
25	In the matter of the application of Streamline Energy, LLC to authorize injection of saltwater into the Arbuckle formation at the Rains #SWD well, located in Section 10, Township 35 South, Range 15 East, Montgomery County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3274-CUIC	
26	In the Matter of the Application of Quito, Inc. to authorize injection of saltwater into the Arbuckle formation at the Royce #2 well located in the SE/4 of Section 18, Township 31 South, Range 13 East, Elk County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3304-CUIC	
27	In the Matter of the Notice of Denial of License Application Issued to Ernie D. Pratt. <i>Order Cancelling Status Conference and Closing Docket</i>	17-CONS-3475-CMSC	
28	In the Matter of the Notice of Denial of License Renewal Application to Tailwater, Inc. <i>Order Closing Docket</i>	17-CONS-3685-CMSC	
29	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. <i>Penalty Order - Calgary Energy, LLC</i>	18-CONS-3246-CPEN	

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