

**Kansas Corporation Commission**  
**Commission Meeting**  
**March 8, 2018**  
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 March 8, 2018 in the 1<sup>st</sup> 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 Apple moved for approval of the Items on the Consent Agenda dated March 8, 2018, 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. 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 #18-1166- Order on KIC's motion to Extend Deadline to File Testimony in Opposition to a Settlement Agreement. Commissioner Apple seconded the motion.

The motion was approved.

- B. **Docket No. 18-WSEE-328-RTS**

*In the Matter of the Joint Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval to Make Certain Changes in their Charges for Electric Services.*

Commissioner Emler moved for approval of order #18-1159 – Order Setting Procedural Schedule. Commissioner Apple seconded the motion following discussion about the public hearing schedule.

The motion was approved.

C. **Docket No. 18-CONS-3221-CPEN**

*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.*

Commissioner Emler moved for approval of order #18-1149 – Order on Petition for Reconsideration. Commissioner Apple seconded the motion.

The motion was approved.

3. **Other matters:**

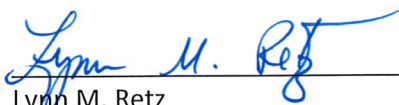
A. Chairman Albrecht moved to meet in Executive Session for attorney/client privileged matters, pursuant to KSA 75-4319(b)(2) for consultation with an attorney to obtain legal advice, for a period of 10 minutes. Also called into the Executive Session was Samuel Feather, Deputy General Counsel and Michael Duenes, Assistant General Counsel. Commissioner Emler seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:16 a.m. and reconvened in public session at 10:26 a.m. No action was taken

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 March 8, 2018 Commission Meeting at 10:27 a.m.

Respectfully submitted,



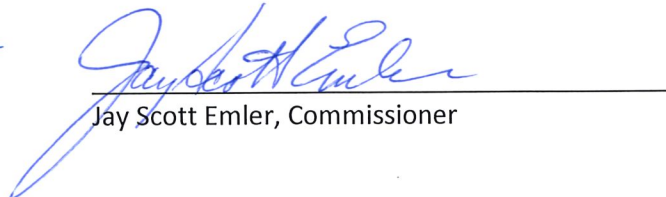
Lynn M. Retz  
Secretary to the Commission



Shari Feist Albrecht, Chair



Pat Apple, Commissioner



Jay Scott Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, March 8, 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 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 MetroPCS Michigan LLC</i>	17-GIMT-008-GIT	
2	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 Utilized by T-Mobile Central LLC</i>	17-GIMT-008-GIT	
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 Allocation Methodology Utilized by TracFone Wireless, Inc.</i>	17-GIMT-008-GIT	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Audit of Consolidated Communications Enterprise Services, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2016 Supp. 66-2010(b) for KUSF Operating Year 20, Fiscal Year March 2016 – February 2017 <i>Order Accepting and Adopting GVNW Consulting Inc.'s Audit Report and Recommendations</i>	18-COSC-045-KSF	
5	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Pulse Telecom, LLC. <i>Order Cancelling Certificate</i>	18-PULC-291-CCS	
6	In the Matter of a General Investigation NECC Telecom, to Show Cause Why this Commission Should Not Initiate Penalties, Sanctions, or Fines and any Certificate of Convenience and Authority the Carrier Holds Be Canceled Suspended or Revoked for Non- Compliance with Kansas Statutes <i>Order Cancelling Certificate</i>	18-NECC-292-SHO	
7	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Residential Long Distance, Inc. <i>Order Cancelling Certificate</i>	18-RLDC-362-CCS	
8	In the Matter of the Application of Kansas City Power & Light Company for Approval of its 2017 Actual Cost Adjustment ("ACA") <i>Order Assessing Costs</i>	18-KCPE-372-ACA	
9	In the Matter of the Application of Kansas City Power & Light Company's Net Metering Tariff Schedule 67 <i>Order Assessing Costs</i>	18-KCPE-373-TAR	
10	In the Matter of the Failure of Ace Energy LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Mullen #12, Mullen #13, Mullen #14 and Mullen #20 wells in Crawford County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3235-CPEN	

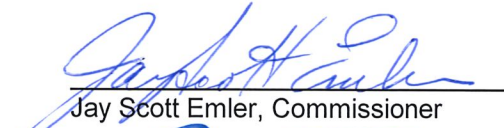
**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
11	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-104 and K.A.R. 82-3-111 at the Flying J Geer #2 OWWO well in Butler County, Kansas. <i>Order Consolidating Dockets and Setting Procedural Schedule</i>	17-CONS-3684-CPEN	
11	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Paulsen #1 in Butler County, Kansas. <i>Order Consolidating Dockets and Setting Procedural Schedule</i>	18-CONS-3057-CPEN	
11	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82 3 604 at the Ralston Lease Tank Battery in Butler County, Kansas. <i>Order Consolidating Dockets and Setting Procedural Schedule</i>	18-CONS-3160-CPEN	
11	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-104 and K.A.R. 82-3-111 at the Wright #1 OWWO well in Butler County, Kansas. <i>Order Consolidating Dockets and Setting Procedural Schedule</i>	18-CONS-3167-CPEN	
11	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82 3-602 at the Wright #1 OWWO well in Butler County, Kansas. <i>Order Consolidating Dockets and Setting Procedural Schedule</i>	18-CONS-3188-CPEN	
11	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82 3-608 at the Wright #1 OWWO well in Butler County, Kansas. <i>Order Consolidating Dockets and Setting Procedural Schedule</i>	18-CONS-3189-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