

Kansas Corporation Commission
Commission Meeting
March 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 March 15, 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 March 15, 2018 containing pages one through four and are attached to these Minutes. Commissioner Apple seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 17-GIME-565-GIV**

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.

Commissioner Emler moved for approval of order #18-0419- Final Order. Commissioner Apple seconded the motion.

The motion was approved.

3. **Discussion:**

- A. Commissioner Apple moved the Commission adopt HR Directive 3/15/18 which requires that no action shall be taken regarding personnel matters involving Division Directors, General Counsel, or an Executive Director without the Commission's approval. Any documentation addressing personnel matters involving Division Directors, General Counsel, or an Executive Director shall be provided in advance to each Commissioner and shall require the signature of the majority of the Commission to be effective.

Commissioner Apple stated the directive would not amend or change the Bylaws but act as a procedure for staff to follow. Commissioner Emler seconded the motion. Following discussion, the motion was approved.

4. **Other matters:**

- A. Chairman Albrecht 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 and attorney/client privileged matters, pursuant to KSA 75-4319(b)(2), for consultation with an attorney, to obtain legal advice, for a period of 30 minutes. Also called into the Executive Session was Dustin Kirk, Deputy General Counsel. Commissioner Emler seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:18 a.m. and reconvened in public session at 10:48 a.m.

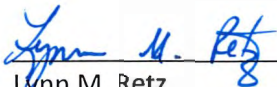
- B. Chairman Albrecht moved to extend the Executive Session for matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved and attorney/client privileged matters, pursuant to KSA 75-4319(b)(2), for consultation with an attorney, to obtain legal advice, for a period of 15 minutes. Also called into the Executive Session was Dustin Kirk, Deputy General Counsel. Commissioner Apple seconded the motion.

The motion was approved.

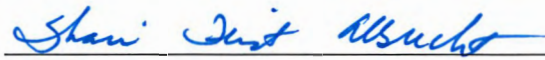
The Commission moved into Executive Session at 10:49 a.m. and reconvened in public session at 11:04 a.m. No action was taken.

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 15, 2018 Commission Meeting at 11:05 a.m.

Respectfully submitted,



Lynn M. Retz
Secretary to the Commission



Shari Feist Albrecht, Chair



Pat Apple, Commissioner



Jay Scott Emler, Commissioner

Proposed HR Directive 3/15/18

I move the Commission adopt HR Directive 3/15/18 which requires that no action shall be taken regarding personnel matters involving Division Directors, General Counsel, or an Executive Director without the Commission's approval. Any documentation addressing personnel matters involving Division Directors, General Counsel, or an Executive Director shall be provided in advance to each Commissioner and shall require the signature of the majority of the Commission to be effective.



ITEMS OF Consent Agenda

Approval Date: Thursday, March 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 the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Alec, LLC Order Assessing Costs	18-ALCT-386-CCS	
2	Transportation orders to be approved by the Commission on the Consent Agenda. Transportation Economic Orders	18-TRAM-5136-TRA	
3	In the Matter of the Application of Westar Energy, Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in Portions of Sections 1, 2, 3, 4, 5, 6, 16, 17, 21, 25, 27, 28, 29, 30, 34, 35, and 36; Township 12 South, 13 South, and 13 West; Range 4 East, 5 East and 6 East; in the Counties of Dickinson County, Kansas and Geary County, Kansas. Order Granting Certificate of Convenience and Authority for Transmission Rights Only	18-WSEE-363-COC	
4	In the Matter of the Application of Kansas Gas Service, a Division of ONE Gas, Inc., to amend Certificate of Convenience and Necessity to transact the business of a Natural Gas Public Utility within the County of Rush, Kansas and the Vicinity Thereof. Order Issuing Certificate of Convenience and Necessity	18-KGSG-367-COC	

Consent Agenda

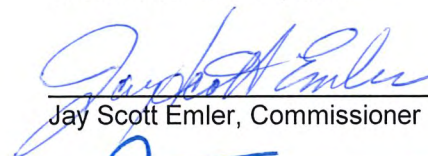
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the application of Palomino Petroleum Inc. for an order granting an exception to the requirements of K.A.R. § 82-3-107 relating to the Wing-Dvorachek well #1 drilled in Logan County, Kansas. <i>Order Granting Application</i>	18-CONS-3225-CEXC	
6	In the Matter of the Application of JTC Oil, Inc. to authorize injection of saltwater into the Squirrel formation at the Blunk #I-10 and #I-11 wells, located in Section 18, Township 17 South, Range 21 East, Franklin County, Kansas. <i>Order Granting Withdrawal and Closing Docket</i>	18-CONS-3273-CUIC	
7	In the Matter of the Investigation of Gustavo Molina, d/b/a GM Trucking of Dodge 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>Penalty Order</i>	18-TRAM-387-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

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.
SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | PAT APPLE, COMMISSIONER

Transportation Orders By Docket Number 18-TRAM-5136-TRA

Order Number	Description	Removed
18-1211	<i>In the Matter of the Application of LLK LLC of ATCHISON KS for a Private Carrier Permit.</i> USDOT #1614985 LLK LLC of ATCHISON KS - Order Granting Application for a Private Carrier Permit	
18-1214	<i>In the Matter of the Application of DBL B TRUCKING LLC of BELLEVILLE KS for Authority for a Certificate of Public Service.</i> USDOT #3078211 DBL B TRUCKING LLC of BELLEVILLE KS - Order Granting Application for Certificate of Public Service	
18-1195	<i>In the Matter of the Application of 5 STAR ENTERPRISES INC of IOLA KS for Authority for a Certificate of Public Service.</i> USDOT #3076631 5 STAR ENTERPRISES INC of IOLA KS - Order Granting Application for Certificate of Public Service	
18-1193	<i>In the Matter of the Application of BILL WHITE TRUCKING LLC of FAIRVIEW KS for Authority for a Certificate of Public Service.</i> USDOT #795944 BILL WHITE TRUCKING LLC of FAIRVIEW KS - Order Granting Application for Certificate of Public Service	
18-1222	<i>In the Matter of the Application of HASKETTS LANDSCAPING LLC of OVERLAND PARK KS for a Private Carrier Permit.</i> USDOT #1761501 HASKETTS LANDSCAPING LLC of OVERLAND PARK KS - Order Granting Application for a Private Carrier Permit	
18-1210	<i>In the Matter of the Application of K-14 LLC of HUTCHINSON KS for Authority for a Certificate of Public Service.</i> USDOT #3093393 K-14 LLC of HUTCHINSON KS - Order Granting Application for Certificate of Public Service	
18-1220	<i>In the Matter of the Application of STEPHEN D MILLER of PROTECTION KS for Authority for a Certificate of Public Service.</i> USDOT #2832379 STEPHEN D MILLER of PROTECTION KS - Order Granting Application for Certificate of Public Service	

Transportation Orders By Docket Number

18-TRAM-5136-TRA

Order Number	Description	Removed
18-1207	<p><i>In the Matter of the Application of Z SQUARED TRANZPORT LLC of WICHITA KS for a Private Carrier Permit.</i></p> <p>USDOT #3095300 Z SQUARED TRANZPORT LLC of WICHITA KS - Order Granting Application for a Private Carrier Permit</p>	
18-1209	<p><i>In the Matter of the Application of EVANS BUILDING CO INC of WICHITA KS for a Private Carrier Permit.</i></p> <p>USDOT #1258237 EVANS BUILDING CO INC of WICHITA KS - Order Granting Application for a Private Carrier Permit</p>	
18-1217	<p><i>In the Matter of the Application of WESTSIDE RECYCLING LLC of EMPORIA KS for Authority for a Certificate of Public Service.</i></p> <p>USDOT #3033368 WESTSIDE RECYCLING LLC of EMPORIA KS - Order Granting Application for Certificate of Public Service</p>	
18-1208	<p><i>In the Matter of the Application of ALLAN THOMAS of ALLEN KS for Authority for a Certificate of Public Service.</i></p> <p>USDOT #3099293 ALLAN THOMAS of ALLEN KS - Order Granting Application for Certificate of Public Service</p>	
18-1215	<p><i>In the Matter of the Application of ADVANCE CATASTROPHE TECHNOLOGIES INC of BELAIRE KS for a Private Carrier Permit.</i></p> <p>USDOT #1276531 ADVANCE CATASTROPHE TECHNOLOGIES INC of BELAIRE KS - Order Granting Application for a Private Carrier Permit</p>	
18-1213	<p><i>In the Matter of the Application of JARED TRUCKING LLC of LENEXA KS for Authority for a Certificate of Public Service.</i></p> <p>USDOT #3032442 JARED TRUCKING LLC of LENEXA KS - Order Granting Application for Certificate of Public Service</p>	
18-1203	<p><i>In the Matter of the Application of KC3 TRUCKING LLC of CIMARRON KS for Authority for a Certificate of Public Service.</i></p> <p>USDOT #3096690 KC3 TRUCKING LLC of CIMARRON KS - Order Granting Application for Certificate of Public Service</p>	
18-1199	<p><i>In the Matter of the Application of R & D TRANSPORT LLC of ANDOVER KS for Authority for a Certificate of Public Service.</i></p> <p>USDOT #1594349 R & D TRANSPORT LLC of ANDOVER KS - Order Granting Application for Certificate of Public Service</p>	
18-1198	<p><i>In the Matter of the Application of BOLD TRANSPORTATION INC of KANSAS CITY KS for Authority for a Certificate of Public Service.</i></p> <p>USDOT #2155663 BOLD TRANSPORTATION INC of KANSAS CITY KS - Order Granting Application for Certificate of Public Service</p>	
18-1192	<p><i>In the Matter of the Application of EVERGREEN DESIGN - BUILD LLC of EMPORIA KS for a Private Carrier Permit.</i></p> <p>USDOT #2168608 EVERGREEN DESIGN - BUILD LLC of EMPORIA KS - Order Granting Application for a Private Carrier Permit</p>	

Transportation Orders By Docket Number

18-TRAM-5136-TRA

Order Number	Description	Removed
18-1219	<i>In the Matter of the Application of VICTORY TRUCKING LLC of CHERRYVALE KS for Authority for a Certificate of Public Service.</i> USDOT #2827328 VICTORY TRUCKING LLC of CHERRYVALE KS - Order Granting Application for Certificate of Public Service	
18-1218	<i>In the Matter of the Application of TOW ALL OF WICHITA LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3077307 TOW ALL OF WICHITA LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
18-1212	<i>In the Matter of the Application of OPTIMAL TRANSPORTATION LLC of OLATHE KS for Authority for a Certificate of Public Service.</i> USDOT #3086083 OPTIMAL TRANSPORTATION LLC of OLATHE KS - Order Granting Application for Certificate of Public Service	
18-1204	<i>In the Matter of the Application of KC3 TRUCKING LLC of CIMARRON KS for a Private Carrier Permit.</i> USDOT #3096690 KC3 TRUCKING LLC of CIMARRON KS - Order Granting Application for a Private Carrier Permit	
18-1194	<i>In the Matter of the Application of J & D EQUIPMENT INC of KANSAS CITY KS for a Private Carrier Permit.</i> USDOT #949600 J & D EQUIPMENT INC of KANSAS CITY KS - Order Granting Application for a Private Carrier Permit	
18-1200	<i>In the Matter of the Application of KRISTOPHER A KROMER of SALINA KS for Authority for a Certificate of Convenience and Necessity.</i> USDOT #2868959 KRISTOPHER A KROMER of SALINA KS - Order Granting Application for Certificate of Convenience and Necessity	
18-1205	<i>In the Matter of the Application of HENRY D BOHL of PHILLIPSBURG KS for Authority for a Certificate of Public Service.</i> USDOT #2957488 HENRY D BOHL of PHILLIPSBURG KS - Order Granting Application for Certificate of Public Service	
18-1206	<i>In the Matter of the Application of Z SQUARED TRANZPORT LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3095300 Z SQUARED TRANZPORT LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
18-1196	<i>In the Matter of the Application of MARTIN DELREAL DELATORRE of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3095508 MARTIN DELREAL DELATORRE of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
18-1202	<i>In the Matter of the Application of WICHITA TRAILER INC of PARK CITY KS for a Private Carrier Permit.</i> USDOT #1468715 WICHITA TRAILER INC of PARK CITY KS - Order Granting Application for a Private Carrier Permit	

Transportation Orders By Docket Number

18-TRAM-5136-TRA

Order Number	Description	Removed
18-1197	<i>In the Matter of the Application of K TRANSPORT LLC of CHASE KS for Authority for a Certificate of Convenience and Necessity.</i> USDOT #2273747 K TRANSPORT LLC of CHASE KS - Order Granting Application for Certificate of Convenience and Necessity	
18-1201	<i>In the Matter of the Application of RALPH MOTORS LLC of TOPEKA KS for a Private Carrier Permit.</i> USDOT #3095292 RALPH MOTORS LLC of TOPEKA KS - Order Granting Application for a Private Carrier Permit	

Total # of Orders: 29

End of Report