

Kansas Corporation Commission
Commission Meeting
April 5, 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 April 5, 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 April 5, 2018 containing pages one through four and are attached to these Minutes. Chair Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 18-WSEE-355-TAR**

In the Matter of Westar Energy, Inc. and Kansas Gas and Electric Company Seeking Commission Approval to Implement Changes in their Transmission Delivery Charges Rate Schedules.

Commissioner Emler moved for approval of order #18-1778- Order on Staff's Motion to Join and Consolidate Proceedings. Chair Albrecht seconded the motion.

The motion was approved.

- B. **Docket No. 17-CONS-3689-CUIC**

In the Matter of the Application of Cross Bar Energy, LLC for a Permit to Authorize the Injection of Saltwater into the Vigle VW-6 Well located in the SW/4 of Section 14, Township 23 South, Range 10 East, Greenwood County and an Amendment to Injection Permit E-27315 to Change the Authorized Injection Rate and pressure.

Commissioner Emler moved for approval of order #18-1779 Final Precedential Order. Chair Albrecht seconded the motion.

The motion was approved.

- C. **Docket No. 15-WSEE-211-COM; 15-KCPE-265-COM; 15-KCPE-474-COM; 16-WSEE-066-COM; 16-WSEE-365-COM; 16-WSEE-392-COM; 16-WSEE-396-COM; 16-WSEE-397-COM and 16-WSEE-404-COM**

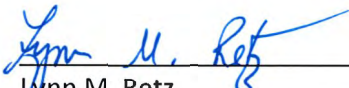
In the Matter of the Consolidated Complaints filed Against Kansas City Power & Light and Westar Energy Regarding the Required Use of Advanced Metering Infrastructure Digital Electric Meters.

Commissioner Emler moved for approval of order #18-1783 Final Order. 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 April 5, 2018 Commission Meeting at 10:08 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, April 5, 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 Investigation to Determine the Assessment Rate for the Twenty –Second Year of the Kansas Universal Service Fund, Effective March 1, 2018. <i>Order Approving Traffic Factor Update for Consolidated Communications Enterprise Services, Inc.</i>	18-GIMT-084-GIT	✓
2	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With WTC Technologies, Inc. <i>Order Assessing Costs</i>	18-SWBT-418-IAT	✓
3	In the Matter of the Joint Application of Mid-Kansas Electric Company, LLC, Sunflower Electric Power Corporation, Prairie Land Electric Cooperative, Inc., Pioneer Electric Cooperative, Inc., The Victory Electric Cooperative Association, Inc., Western Cooperative Electric Association, Inc., Wheatland Electric Cooperative, Inc. and Southern Pioneer Electric Company for Approval of a Local Access Tariff and Mid-Kansas and Sunflower Open Access Transmission Tariff <i>Order Granting Motion for Admission Pro Hac Vice of Margaret A. McGoldrick</i>	18-MKEE-160-TAR	✓

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of Kansas City Power & Light Company Seeking Commission Approval to Implement Changes in their Transmission Delivery Charges Rate Schedules <i>Order Acknowledging Effective Date of Transmission Delivery Charge Subject-To-Refund Pursuant to K.S.A. 66-1237</i>	18-KCPE-403-TAR	✓
5	In the Matter of the Application of Kansas City Power & Light Company for Approval of its 2018 Energy Efficiency Rider for Program Costs Incurred January 1 Through December 31, 2017. <i>Order Assessing Costs</i>	18-KCPE-420-TAR	✓
6	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 Baker 4-15 well in the Southwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 15, Township 23 South, Range 34 West, Finney County, Kansas. <i>Order Granting Application</i>	18-CONS-3193-CEXC	✓
7	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 its Reimer A-1 well located in the SW/4 of Section 35, Township 28 South, Range 34 West, Haskell County, Kansas. <i>Order Granting Application</i>	18-CONS-3256-CEXC	✓
8	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 its Reimer A-2 well located in the SW/4 of Section 35, Township 28 South, Range 34 West, Haskell County, Kansas. <i>Order Granting Application</i>	18-CONS-3257-CEXC	✓
9	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 Wander 2-2 Well in the Northwest Quarter of the Northeast Quarter of Section 2, Township 30 South, Range 35 West, Grant County, Kansas. <i>Order Granting Application</i>	18-CONS-3292-CEXC	✓
10	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 Yuncker B-3 Well in the Southwest Quarter of the Southeast Quarter of Section 14, Township 29 South, Range 34 West, Haskell County, Kansas. <i>Order Granting Application</i>	18-CONS-3293-CEXC	✓
11	In the matter of the application of Norstar Petroleum Inc., for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Steckel Farms #4-4 well located in the SE/4 NE/4 of Section 4-T31S-R41W, Morton County, Kansas. <i>Order Granting Application</i>	18-CONS-3331-CEXC	✓
12	In the matter of the Application of Norstar Petroleum Inc., for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Tucker #1-34 well located in the NE/4 of the SE/4 of Section 34-T30S-R41W, Stanton County, Kansas. <i>Order Granting Application</i>	18-CONS-3346-CEXC	✓

Consent Agenda

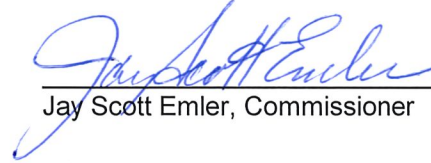
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the matter of the failure of Casillas Petroleum Corp ("Operator") to comply with K.A.R. 82-3-407 at the Pleasant Prairie Unit #74 in Haskell County, Kansas. <i>Penalty Order - Casillas Petroleum Corp.</i>	18-CONS-3352-CPEN ✓	
14	In the matter of the failure of Russell Nightingale dba R J Operating Co. ("Operator") to comply with K.A.R. 82-3-407 at the Unit A #2 in Rice County, Kansas. <i>Penalty Order - Russell Nightingale dba R J Operating Co.</i>	18-CONS-3353-CPEN ✓	
15	In the matter of the failure of Viva International, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the Cox #1-W in Linn County, Kansas. <i>Penalty Order - Viva International, Inc.</i>	18-CONS-3354-CPEN ✓	
16	In the matter of the failure of EC Services LLC ("Operator") to comply with K.A.R. 82-3-407 at the Sanders #3 in Stafford County, Kansas. <i>Penalty Order - EC Services LLC</i>	18-CONS-3355-CPEN ✓	
17	In the matter of the failure of Patrick Development Corporation ("Operator") to comply with K.A.R. 82-3-407 at the Grandon #NO 9 in Miami County, Kansas. <i>Penalty Order - Patrick Development Corporation</i>	18-CONS-3356-CPEN ✓	
18	In the Matter of the Emergency Suspension of Operating Authority of River City Recovery LLC of Lawrence, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	18-TRAM-424-OOS ✓	
19	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	18-TRAM-5142-TRA	✓
20	In the Matter of Certification of Compliance with Section 254(e) of the Federal Telecommunications Act of 1996 and Certification of Appropriate Use of Kansas Universal Service Fund Support. <i>Order Opening Docket</i>	18-GIMT-394-GIT ✓	
21	In the Matter of Certification of Compliance with Section 254(e) of the Federal Telecommunications Act of 1996 and Certification of Appropriate Use of Kansas Universal Service Fund Support. <i>Order Assessing Costs</i>	18-GIMT-394-GIT ✓	
22	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 Smith #4 well located in N/2 SE SW of Sec 36, T16S, R11W Barton County, Kansas. <i>Order Granting Application</i>	18-CONS-3180-CEXC ✓	

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

For the Commission :



Shari Feist Albrecht, Chair

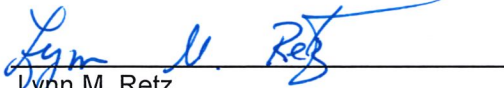


Jay Scott Emler, Commissioner

Absent

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-5142-TRA

Order Number	Description	Removed
18-1692	<i>In the Matter of the Application of TMT KC LLC of KANSAS CITY MO for Authority for a Certificate of Convenience and Necessity.</i> USDOT #3099844 TMT KC LLC of KANSAS CITY MO - Order Granting Application for Certificate of Convenience and Necessity	
18-1703	<i>In the Matter of the Application of SARIK LLC of TOPEKA KS for Authority for a Certificate of Public Service.</i> USDOT #2317203 SARIK LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	
18-1750	<i>In the Matter of the Application of COX POWERLINE INC of PRATT KS for the Abandonment of Certificate of Public Service.</i> USDOT #1761299 COX POWERLINE INC of PRATT KS - Order Granting Request for Abandonment for Certificate of Public Service	
18-1751	<i>In the Matter of the Application of OUTLAW TOW AND RECOVERY LLC of SAINT GEORGE KS for Authority for a Certificate of Public Service.</i> USDOT #3027279 OUTLAW TOW AND RECOVERY LLC of SAINT GEORGE KS - Order Granting Application for Certificate of Public Service	
18-1752	<i>In the Matter of the Application of AARON WARD of SHARON SPRINGS KS for Authority for a Certificate of Public Service.</i> USDOT #3101238 AARON WARD of SHARON SPRINGS KS - Order Granting Application for Certificate of Public Service	
18-1755	<i>In the Matter of the Emergency Suspension of Authority of RAFTER M TRUCKING LLC of EL DORADO KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2982019 RAFTER M TRUCKING LLC of EL DORADO KS - Emergency Order Suspending Authority	
18-1758	<i>In the Matter of the Application of WHEAT STATE TRANSPORT LLC of ELLINWOOD KS for the Abandonment of Certificate of Public Service</i> USDOT #2875615 WHEAT STATE TRANSPORT LLC of ELLINWOOD KS - Order Granting Request for Abandonment for Certificate of Public Service	

Transportation Orders By Docket Number
18-TRAM-5142-TRA

Order Number	Description	Removed
18-1759	<i>In the Matter of the Application of WHEAT STATE TRANSPORT LLC of ELLINWOOD KS for the Abandonment of Certificate of Public Service.</i> USDOT #2875615 WHEAT STATE TRANSPORT LLC of ELLINWOOD KS - Order Granting Request for Abandonment for Certificate of Public Service	
18-1760	<i>In the Matter of the Application of DOVE BUICK-OLDSMOBILE-CADILLAC INC of GREAT BEND KS for the Abandonment of Certificate of Public Service.</i> USDOT #1115687 DOVE BUICK-OLDSMOBILE-CADILLAC INC of GREAT BEND KS - Order Granting Request for Abandonment for Certificate of Public Service	
18-1762	<i>In the Matter of the Emergency Suspension of Authority of KENNETH E MOLT of HORTON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1828455 KENNETH E MOLT of HORTON KS - Emergency Order Suspending Authority	
18-1763	<i>In the Matter of the Emergency Suspension of Authority of DONALD W LOSSON of TOPEKA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2058200 DONALD W LOSSON of TOPEKA KS - Emergency Order Suspending Authority	
18-1767	<i>In the Matter of the Emergency Suspension of Authority of VAZQUEZ TRUCKING LLC of LIBERAL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2984060 VAZQUEZ TRUCKING LLC of LIBERAL KS - Emergency Order Suspending Authority	
18-1768	<i>In the Matter of the Emergency Suspension of Authority of KENNETH J SCHERTZ of PAOLA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2350973 KENNETH J SCHERTZ of PAOLA KS - Emergency Order Suspending Authority	
18-1770	<i>In the Matter of the Emergency Suspension of Authority of LONGENECKER TRUCKING INC of ABILENE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1876929 LONGENECKER TRUCKING INC of ABILENE KS - Emergency Order Suspending Authority	
18-1771	<i>In the Matter of the Emergency Suspension of Authority of ROGER L WILLIAMS of FLORENCE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #288165 ROGER L WILLIAMS of FLORENCE KS - Emergency Order Suspending Authority	
18-1772	<i>In the Matter of the Emergency Suspension of Authority of HAMILTON TRUCKING COMPANY INC of VALLEY CENTER KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #472800 HAMILTON TRUCKING COMPANY INC of VALLEY CENTER KS - Emergency Order Suspending Authority	
18-1773	<i>In the Matter of the Emergency Suspension of Authority of LEHMANN HAY & GRAIN LC of GAYLORD KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1669625 LEHMANN HAY & GRAIN LC of GAYLORD KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number
18-TRAM-5142-TRA**

Order Number	Description	Removed
18-1774	<i>In the Matter of the Emergency Suspension of Authority of SERGIO SANCHEZ BENITEZ of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations</i> USDOT #2983313 SERGIO SANCHEZ BENITEZ of GARDEN CITY KS - Emergency Order Suspending Authority	
18-1775	<i>In the Matter of the Emergency Suspension of Authority of MIAMI COUNTY TROLLEY LLC of PAOLA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations</i> USDOT #2388349 MIAMI COUNTY TROLLEY LLC of PAOLA KS - Emergency Order Suspending Authority	
18-1776	<i>In the Matter of the Emergency Suspension of Authority of JOHNSON & BAKER TRUCKING INC of NEVADA MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #69529 JOHNSON & BAKER TRUCKING INC of NEVADA MO - Emergency Order Suspending Authority	
18-1777	<i>In the Matter of the Emergency Suspension of Authority of MCR TRANSPORT LLC of SAINT JOSEPH MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations</i> USDOT #1604358 MCR TRANSPORT LLC of SAINT JOSEPH MO - Emergency Order Suspending Authority	

Total # of Orders: 21

End of Report