

**Kansas Corporation Commission**  
**Commission Meeting**  
**June 28, 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 June 28, 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 Keen. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Emler moved for approval of the Items on the Consent Agenda dated June 28, 2018 containing pages one through five and are attached to these Minutes. Commissioner Keen 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 #18-4514 – Order on Petitions for Reconsideration. Commissioner Keen seconded the motion.

The motion was approved.

- B. **Docket No. 17-CONS-3653-CMSC**

*In the Matter of the Notice of Denial of License Renewal Application to Dover Atwood Corp.*

Commissioner Keen moved for approval of order #18-4592 – Default Order. Commissioner Emler seconded the motion.

The motion was approved.

- C. **Docket No. 17-CONS-3104-CMSC**

*In the Matter of the Notice of Denial of License Renewal Application issued to Encore Natural Resources. LLC.*

Commissioner Emler moved for approval of order #18-4579 – Order Closing Docket. Commissioner Keen seconded the motion.

The motion was approved.

3. **Discussion/Presentation Item(s):**


*Memorandum of Understanding Between the Kansas Corporation Commission and the Citizens' Utility Ratepayer Board.*

Brian Fedotin, Deputy General Counsel, presented the Memorandum of Understanding for Commission consideration. Commissioner Emler moved to authorize the Chair to execute the Memorandum. Commissioner Keen seconded the motion.

The motion was approved.

**There being no further matters before the Commission, Commissioner Emler moved for adjournment of the Commission meeting. Commissioner Keen seconded the motion. The motion was approved. The Commission adjourned the June 28, 2018 Commission Meeting at 10:09 a.m.**

Respectfully submitted,

  
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Lynn M. Retz  
Secretary to the Commission

  
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Shari Feist Albrecht, Chair

  
\_\_\_\_\_  
Dwight D Keen, Commissioner

  
\_\_\_\_\_  
Jay Scott Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, June 28, 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 Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with YMax Communications Corp. <i>Order Approving Amended Interconnection Agreement</i>	07-SWBT-026-IAT	
2	In the Matter of the Application of Southwestern Bell Telephone Company d/b/a AT&T Kansas for an Order Confirming Relinquishment of its Eligible Telecommunications Carrier Designation in Specified Areas, and Notice Pursuant to K.S.A. 2015 Supp. 66-2006(d) of Intent to Cease Participation in the Kansas Lifeline Service Program. <i>Order Setting Procedural Schedule</i>	17-SWBT-158-MIS	
3	In the Matter of the Application of Ionex Communications, Inc. to Change its Name to Ionex Communications, LLC. (CLEC) <i>Order Approving Name Change</i>	18-ICIT-412-CCN	
4	In the Matter of the Application of Ionex Communications, Inc. to Change its Name to Ionex Communications, LLC. (IXC) <i>Order Approving Name Change</i>	18-ICIC-414-CCN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the 2017 Wolf Creek Triennial Decommissioning Financing Plan. <b><i>Order Amending Procedural Schedule and Granting CURB's Motion to File Surrebutal Testimony</i></b>	18-WCNE-107-GIE	
6	In the Matter of the Application of Kansas City Power & Light Company for Approval To Extend its Demand-Side Management Programs. <b><i>Order Designating Prehearing Officer and Setting Prehearing Conference</i></b>	18-KCPE-124-TAR	
7	In the Matter of Kansas City Power & Light Company Seeking Commission Approval to Implement Changes in their Transmission Delivery Charges Rate Schedules <b><i>Order Acknowledging Effective Date of Transmission Delivery Charge and Adopting Staff's Report and Recommendation</i></b>	18-KCPE-403-TAR	
8	In the Matter of the Application of Butler Electric Cooperative Ass'n Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Specifically in Portions of Section 24, Township 26 S Range 2 E in Sedgwick County and Section 28, Township 25 S, Range 3 E in Butler <b><i>Order Granting Certificate of Convenience and Authority for Transmission Rights Only</i></b>	18-BTRE-492-COC	
9	In the Matter of the Application of The Empire District Electric Company for Approval of an Economic Development Rider <b><i>Suspension Order</i></b>	18-EPDE-549-TAR	
10	In the Matter of the Application of Kansas City Power & Light Company to Make Certain Changes in Its Charges for Electric Service <b><i>Order Granting Intervention to Walmart and Overland Park Regional Med. Cntr.</i></b>	18-KCPE-480-RTS	
11	In the Matter of the Complaint Kansas Gas Service by Michael & Jerri Clagg <b><i>Order Adopting Staff's Memorandum</i></b>	18-KGSG-460-COM	
12	In the Matter of Magellan Pipeline Company, L.P., Filing Tariff Revisions Replacing Tariff K.C.C. No. 37 With Tariff K.C.C. No. 38 <b><i>Order Approving Tariff Revisions</i></b>	18-MGPP-421-TAR	
13	In the Matter of the Application of Merit Energy Company, LLC for the Assignment of an a Location Exception for the River Bend 5 Well Located 186' FNL and 280' FEL of Lot 1, Section 27, Township 24 South, Range 32 West, in Finney County, Kansas. <b><i>Order Designating Prehearing Officer and Setting Prehearing Conference</i></b>	18-CONS-3376-CWLE	
14	In the Matter of the Application of IGWT, Inc. for the Assignment and a Location Exemption for the Varner Farms #1 Located 990' FNL and 1500' FWL of Section 33, Township 25 South, Range 4 East Butler County Kansas. <b><i>Order Designating Prehearing Officer and Setting Pretrial Conference</i></b>	18-CONS-3383-CWLE	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Application of Marshall Oil LLC to Authorize Injection of Saltwater into the Douglas Formation at the Teter-Spencer No. 2A Well Located in the NW/4 of Section 22, Township 23 South, Range 9 East, Greenwood County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3385-CUIC	
16	In the matter of the failure of Nash Oil & Gas, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Holland #1-26 in Pratt County, Kansas. <i>Penalty Order - Nash Oil &amp; Gas, Inc.</i>	18-CONS-3295-CPEN	
17	In the matter of the failure of 3G Production, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Henning #2 in Pawnee County, Kansas. <i>Penalty Order - 3G Production, LLC</i>	18-CONS-3297-CPEN	
18	In the matter of the failure of Donna Farris dba Farris Well Service ("Operator") to comply with K.A.R. 82-3-111 at the Thomas #1 and Florence Moore #1 in Clark County, Kansas. <i>Penalty Order - Donna Farris dba Farris Well Service</i>	18-CONS-3389-CPEN	
19	In the matter of the failure of Foundation Energy Management, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Masonic Home #9-2 and Tate #6-2 in Kearny County, Kansas <i>Penalty Order - Foundation Energy Management, LLC</i>	18-CONS-3390-CPEN	
20	In the matter of the failure of KC Resources, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Williams C D OWWO #4, Williams C D #D-1, Williams C D #3, and C D Williams #C in Harper County, Kansas. <i>Penalty Order - KC Resources, Inc.</i>	18-CONS-3391-CPEN	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	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</i>	17-CONS-3684-CPEN	
21	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</i>	18-CONS-3057-CPEN	
21	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</i>	18-CONS-3160-CPEN	
21	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</i>	18-CONS-3167-CPEN	
21	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</i>	18-CONS-3188-CPEN	
21	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</i>	18-CONS-3189-CPEN	
22	In the Matter of the Investigation of D.T.S. Inc. of Overland Park, 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-548-PEN	
23	In the Matter of the Emergency Suspension of Operating Authority of Masedonia Morales, d/b/a VAM Trucking of Santana, Kansas, for Failure to Comply With Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	18-TRAM-550-OOS	
24	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	18-TRAM-5160-TRA	

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

For the Commission :



Shari Feist Albrecht, Chair

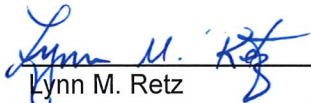


Jay Scott Emler, Commissioner



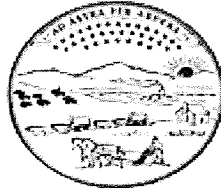
Dwight D. Keen, Commissioner

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 | DWIGHT D. KEEN, COMMISSIONER

## Transportation Orders By Docket Number 18-TRAM-5160-TRA

Order Number	Description	Removed
18-4512	<i>In the Matter of the Application of FIVE29 ENTERPRISES LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3135542 FIVE29 ENTERPRISES LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
18-4596	<i>In the Matter of the Application of BRAUER SUPPLY CO of ST LOUIS MO for a Private Carrier Permit.</i> USDOT #427216 BRAUER SUPPLY CO of ST LOUIS MO - Order Granting Application for a Private Carrier Permit	
18-4597	<i>In the Matter of the Application of MIDWEST MOBILE HOME SERVICE LLC of EMPORIA KS for Authority for a Certificate of Public Service.</i> USDOT #2391200 MIDWEST MOBILE HOME SERVICE LLC of EMPORIA KS - Order Granting Application for Certificate of Public Service	
18-4601	<i>In the Matter of the Emergency Suspension of Authority of HOMOLKA GRAIN AND SUPPLY INC of ELLSWORTH KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #72598 HOMOLKA GRAIN AND SUPPLY INC of ELLSWORTH KS - Emergency Order Suspending Authority	
18-4602	<i>In the Matter of the Emergency Suspension of Authority of LITTLE APPLE LIMO BUS LLC of WAMEGO KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2911756 LITTLE APPLE LIMO BUS LLC of WAMEGO KS - Emergency Order Suspending Authority	
18-4603	<i>In the Matter of the Emergency Suspension of Authority of CARRIER LOGISTICS OF OLATHE LLC of OLATHE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2918213 CARRIER LOGISTICS OF OLATHE LLC of OLATHE KS - Emergency Order Suspending Authority	

Total # of Orders: 6

End of Report