

Kansas Corporation Commission
Commission Meeting
July 17, 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 July 17, 2018 in the 1st 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 Keen moved for approval of the Items on the Consent Agenda dated July 17, 2018 containing pages one through three and are attached to these Minutes. Commissioner Emler seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 18-WSEE-163-TAR**

In the Matter of the Application of Westar Energy, Inc., and Kansas Gas and Electric Company for Approval of Revisions to their Policy for Residential Subdivisions.

Commissioner Emler moved for approval of order #18-5290- Order on Reconsideration. Commissioner Keen seconded the motion.

The motion was approved.

- B. **Docket No. 17-CONS-3506-CBSO**

In the Matter of the Application of Bee Gee Exploration Company for an order establishing 160 acre spacing for the Mississippian Chert Formation underlying lands in Stafford and Reno Counties, Kansas.

In the Matter of the Application of Raymond Oil Company, Inc. for an order to extend field limits for the Mississippian Chert Formation underlying lands in Stafford and Reno Counties, Kansas

Commissioner Emler moved for approval of order #18-5194 – Order Cancelling March 14, 1994 and September 22, 1994 Orders on Spacing Rules. Commissioner Keen seconded the motion.

The motion was approved.

C. Docket No. 18-CONS-3260-CEXC

In the Matter of the Application of VEEM Jade Oil & Gas LLC, for an exception to the 10-year limitation of K.A.R. 82-3-111 for its wells known to the Commission as: the Daves #D21 well, located in Section 27; Smith A#2 well, located in Section 28; and for determination of responsibility for the Smith B #10 and Smith B #12 wells, both located in Section 21, all in Township 29 South, Range 9 East, Elk County, Kansas.

Commissioner Keen moved for approval of order #18-5241 – Order on Application.
Commissioner Emler seconded the motion.

The motion was approved.

D. Docket No. 18-CONS-3262-CMSC

In the Matter of the Application of Joe Brake dba Brake Inc. (“Operator”) for an Operator’s License Renewal.

Commissioner Keen moved for approval of order #18-5245 – Order Vacating Default Order and Scheduling Prehearing Conference. Commissioner Emler seconded the motion.

The motion was approved.

3. Discussion Item(s):

- A. Shared Leave – Chair Albrecht, pursuant to the Commission’s executive session held on July 12, 2018 and subsequent consultation with the Department of Administration, Director of Personnel Services, moved the Commission to approve shared leave over the denial of the Shared Leave Committee for a KCC employee, whose identity is omitted to protect the privacy of the individual involved. Commissioner Emler seconded the motion. The motion was approved.
- B. Salary – Commissioner Emler, pursuant to an executive session held on July 12, 2018, moved the Commission to authorize the Chair to proceed with a salary adjustment for an employee as discussed. Commissioner Keen seconded the motion. The motion was approved.

4. Other matters:

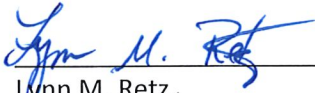
Chair Albrecht moved to meet in Executive Session for matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to discuss employment status and protect the privacy of the individuals involved, for a period of 16 minutes, to return at 10:25 a.m. Commissioner Keen seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 10:09 a.m. and reconvened in public session at 10:25 a.m. No action was taken.

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 July 17, 2018 Commission Meeting at 10:26 a.m.

Respectfully submitted,



Lynn M. Retz
Secretary to the Commission



Shari Feist Albrecht, Chair



Dwight D Keen, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, July 17, 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 Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Cebridge Telecom KS, LLC d/b/a Suddenlink Communications. <i>Order Approving Amended Interconnection Agreement</i>	14-SWBT-203-IAT	
2	In the Matter of the Application of Kansas Gas Service, A Division of ONE Gas, Inc. for Adjustment of its Natural Gas Rates in the State of Kansas <i>Suspension Order February 25, 2019</i>	18-KGSG-560-RTS	
3	In the matter of the application of Veem Jade Oil & Gas LLC, for an exception to the 10-year limitation of K.A.R. 82-3-111 for its Smith A #1 well in Section 28, and Smith B #8 well in Section 21, Township 29 South, Range 9 East, Elk County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3149-CEXC	
4	In the Matter of the Application of Berexco LLC for an Exception to the 10-year Time Limitation of K.A.R. 82-3-111 for its Chrisler-Elliott#3 Well Located in NW NE NE of Sec 12, T11S, R16W Russell County, Kansas. <i>Order Closing Docket</i>	18-CONS-3252-CEXC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Virgil Stuber ("Operator") for Exception to K.A.R. 82-3-120(k) to Allow Issuance of an Operator's License Less than One Year Subsequent to Revocation of Previous License <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3348-CEXC	
6	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Melville B-1 and Ralston #11 in Butler County, Kansas. <i>Penalty Order - Benjamin M. Giles</i>	19-CONS-3014-CPEN	
7	In the matter of the failure of Staab Oil Co., a General Partnership ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Hoffman #1 in Ellis County, Kansas. <i>Penalty Order - Staab Oil Co., a General Partnership</i>	19-CONS-3015-CPEN	
8	In the matter of the failure of Kiowa Gas Company ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Kasson #1 in Douglas County, Kansas. <i>Penalty Order - Kiowa Gas Company</i>	19-CONS-3016-CPEN	
9	In the matter of the failure of Slawson Exploration Company, Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Urban #3-28 well in Thomas County, Kansas. <i>Penalty Order - Slawson Exploration Company, Inc.</i>	19-CONS-3017-CPEN	
10	In the matter of the failure of RJM Company ("Operator") to comply with K.A.R. 82-3-602 at the Neeland #1 well in Barton County, Kansas. <i>Penalty Order - RJM Company</i>	19-CONS-3018-CPEN	
11	In the matter of the failure of E-Land Ventures, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Fleming #2-30 well in Butler County, Kansas. <i>Penalty Order - E-Land Ventures, LLC</i>	19-CONS-3019-CPEN	
12	In the matter of the failure of Kent A. Deutsch dba Deutsch Oil Company ("Operator") to comply with K.A.R. 82-3-608 at the Jorns #2-4 well in Pratt County, Kansas. <i>Penalty Order - Kent A. Deutsch dba Deutsch Oil Company</i>	19-CONS-3020-CPEN	
13	In the matter of the failure of E-Land Ventures, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Fleming #2-30 well in Butler County, Kansas. <i>Penalty Order - E-Land Ventures, LLC</i>	19-CONS-3021-CPEN	
14	In the matter of the failure of Magellan Pipeline Company LP ("Operator") to comply with K.A.R. 82-3-608 at the MP 221.37 #1, MP 201.6 #1 and Chase Co Mainline #MP 171-1 well in Scott, Lane and Ness County, Kansas. <i>Penalty Order - Magellan Pipeline Company LP</i>	19-CONS-3022-CPEN	

Consent Agenda

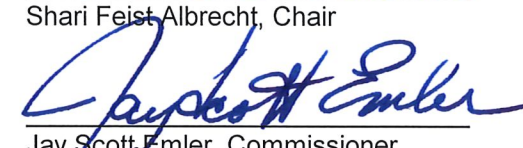
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	18-TRAM-5163-TRA	

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

For the Commission :



Shari Feist Albrecht, Chair

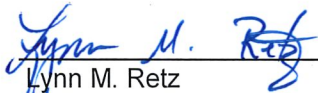


Jay Scott Emler, Commissioner



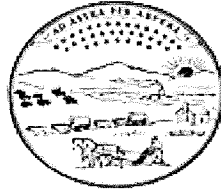
Dwight D. Keen, Commissioner

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 EMER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

Transportation Orders By Docket Number 18-TRAM-5163-TRA

Order Number	Description	Removed
18-5146	<i>In the Matter of the Application of TEDS AUTO REPAIR OF MEADE INC of MEADE KS for Authority for a Certificate of Public Service.</i> USDOT #3153688 TEDS AUTO REPAIR OF MEADE INC of MEADE KS - Order Granting Application for Certificate of Public Service	
18-5190	<i>In the Matter of the Application of G & J WELL SERVICES INC of CANEY KS for Authority for a Certificate of Public Service.</i> USDOT #1525428 G & J WELL SERVICES INC of CANEY KS - Order Granting Application for Certificate of Public Service	
18-5191	<i>In the Matter of the Application of CHAD HALE of WELLSVILLE KS for Authority for a Certificate of Public Service.</i> USDOT #3145813 CHAD HALE of WELLSVILLE KS - Order Granting Application for Certificate of Public Service	
18-5193	<i>In the Matter of the Application of MJE LLC of MONTEZUMA KS for a Private Carrier Permit.</i> USDOT #817022 MJE LLC of MONTEZUMA KS - Order Granting Application for a Private Carrier Permit	
18-5195	<i>In the Matter of the Application of JOHN L DRISCOLL INC of RUSSELL KS for Authority for a Certificate of Public Service.</i> USDOT #3126196 JOHN L DRISCOLL INC of RUSSELL KS - Order Granting Application for Certificate of Public Service	
18-5242	<i>In the Matter of the Application of KY TRANSPORT LLC of HAYS KS for Authority for a Certificate of Public Service.</i> USDOT #3145959 KY TRANSPORT LLC of HAYS KS - Order Granting Application for Certificate of Public Service	
18-5244	<i>In the Matter of the Application of DAJWAY LOGISTICS LLC of OVERLAND PARK KS for Authority for a Certificate of Public Service.</i> USDOT #3128455 DAJWAY LOGISTICS LLC of OVERLAND PARK KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
18-TRAM-5163-TRA**

Order Number	Description	Removed
18-5285	<i>In the Matter of the Application of MUSTANGS SOFTBALL ACADEMY INC of WICHITA KS for a Private Carrier Permit.</i> USDOT #3059562 MUSTANGS SOFTBALL ACADEMY INC of WICHITA KS - Order Granting Application for a Private Carrier Permit	
18-5288	<i>In the Matter of the Application of RICHARD GUTIERREZ CARMONA of LIBERAL KS for the Abandonment of Certificate of Public Service.</i> USDOT #2552254 RICHARD GUTIERREZ CARMONA of LIBERAL KS - Order Granting Request for Abandonment for Certificate of Public Service	

Total # of Orders:

9

End of Report