

**Kansas Corporation Commission**  
**Commission Meeting**  
**August 14, 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 August 14, 2018 in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chair Albrecht (appeared by telephone), Commissioner Emler and Commissioner Keen. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Albrecht moved for approval of the Items on the Consent Agenda dated August 14, 2018 containing pages one through three and are attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

**There being no further matters before the Commission, Commissioner Keen moved for adjournment of the Commission meeting. Chair Albrecht seconded the motion. The motion was approved. The Commission adjourned the August 14, 2018 Commission Meeting at 10:01 a.m.**

Respectfully submitted,

  
\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

  
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Shari Feist Albrecht, Chair

  
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Dwight D Keen, Commissioner

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



# ITEMS OF Consent Agenda

Approval Date: Tuesday, August 14, 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 Sprint Spectrum, L.P.</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 for Virgin Mobile USA, L.P.</i>	17-GIMT-008-GIT	
3	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rates for Rate-of-Return Regulated Carriers for the Twenty-Third Year of the Kansas Universal Service Fund, Effective March 1, 2019. <i>Order Opening Docket; Protective Order Applicable to CURB; Requiring Entries of Appearance to Actively Participate and Establishing Procedural Schedule</i>	19-GIMT-056-GIT	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rates for Rate-of-Return Regulated Carriers for the Twenty-Third Year of the Kansas Universal Service Fund, Effective March 1, 2019. <i>Order Assessing Costs</i>	19-GIMT-056-GIT	
5	In the Matter of the Application of Atmos Energy Corporation for Authority to Cease Transacting the Business of a Natural Gas Public Utility in a Portion of Montgomery County, Kansas <i>Order Granting Application</i>	18-ATMG-488-CCS	
6	In the Matter of the Application of Westar Energy, Inc. For Authority to Cease Transacting The Business of an Electric Public Utility Specifically in Portions of Section 6, Township 13-S, Range 23-E, Johnson County, Kansas <i>Order Assessing Costs</i>	19-WSEE-057-CCS	
7	In the Matter of the Application Sunflower Electric Power Corporation for a Transmission Rights Only Certificate Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas. <i>Order Assessing Costs</i>	19-SEPE-058-COC	
8	In the Matter of the Application of Joe Brake dba Brake Inc. ("Operator") for an Operator's License Renewal. <i>Order Setting Procedural Schedule</i>	18-CONS-3262-CMSC	
9	In the matter of the failure of Prairie Gas Operating, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Bounds #2 in Greeley County, Kansas. <i>Penalty Order - Prairie Gas Operating, LLC</i>	19-CONS-3050-CPEN	
10	In the matter of the failure of Merit Energy Company, LLC ("Operator") to comply with K.A.R. 82-3-407 at the Moore G #2 in Morton County, Kansas. <i>Penalty Order - Merit Energy Company, LLC</i>	19-CONS-3054-CPEN	
11	In the Matter of the Investigation of Harley Van Gieson, d/b/a Van Gieson Hauling of Rago, 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>	19-TRAM-055-PEN	
12	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	19-TRAM-5009-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 19-TRAM-5009-TRA

Order Number	Description	Removed
18-6291	<i>In the Matter of the Application of S AND S LIVESTOCK LLC of ALTAMONT KS for Authority for a Certificate of Public Service.</i> USDOT #3147432 S AND S LIVESTOCK LLC of ALTAMONT KS - Order Granting Application for Certificate of Public Service	
18-6296	<i>In the Matter of the Application of MID STATES TRUCKING LLC of GRANDVIEW MO for Authority for a Certificate of Public Service.</i> USDOT #2934581 MID STATES TRUCKING LLC of GRANDVIEW MO - Order Granting Application for Certificate of Public Service	

Total # of Orders:

2

End of Report