Kansas Corporation Commission
Commission Meeting
August 16, 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 August 16, 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 Emler moved for approval of the Items on the Consent Agenda dated August 16, 2018 containing pages one through six and are attached to these Minutes. Commissioner Keen seconded the motion.

   The motion was approved.

2. **Noticed:**
   A. **Docket No. 18-CONS-3195-CUIC**
   In the Matter of the Application of Midstates Energy Operating, LLC to authorize injection of saltwater into the Squirrel formation at the Hadl #I-1 and Hadl #I-2 enhanced recovery wells, located in Section 36, Township 13 South, Range 20 East, Douglas County, Kansas.

   Commissioner Keen moved for approval of order #18-6356- Order on Midstates' Application. Commissioner Emler seconded the motion.

   The motion was approved.

   B. **Docket No. 18-CONS-3196-CUIC**
   In the Matter of the Application of Midstates Energy Operating, LLC to authorize injection of saltwater into the Squirrel formation at the Thrasher #10 enhanced recovery wells, located in Section 25, Township 13 South, Range 20 East, Douglas County, Kansas

   Commissioner Emler moved for approval of order #18-6357 – Order on Midstates' Application. 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 August 16, 2018 Commission Meeting at 10:04 a.m.

Respectfully submitted,

Lynn M. Retz
Secretary to the Commission

Shari Feist Albrecht, Chair

Dwight D Keen, Commissioner

Jay Scott Emler, Commissioner

Kansas
Corporation Commission

ITEMS OF
Consent Agenda

Approval Date: Thursday, August 16, 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 seperately 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 Audit of Southwestern Bell Telephone Company by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-Feburary 2018. ***Order to KUSF Administrator to Commence Audit of Southwestern Bell Telephone Company and Order Setting Procedural Schedule***	19-SWBT-021-KSF	
2	In the Matter of the Audit of Southwestern Bell Telephone Company by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-Feburary 2018. ***Order Assessing Costs***	19-SWBT-021-KSF	
3	In the Matter of the Audit of Verizon Wireless, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Verizon Wireless, LLC and Setting Procedural Schedule***	19-VERZ-022-KSF	
4	In the Matter of the Audit of Verizon Wireless, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-VERZ-022-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Audit of Alltel Communications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Alltel Communications, LLC and Setting Procedural Schedule***	19-ALTC-023-KSF	
6	In the Matter of the Audit of Alltel Communications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-ALTC-023-KSF	
7	In the Matter of the Audit of Topeka Cellular Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrat Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Topeka Cellular Telephone Company, Inc. and Setting Procedural Schedule***	19-TCTZ-024-KSF	
8	In the Matter of the Audit of Topeka Cellular Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrat Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-TCTZ-024-KSF	
9	In the Matter of the Audit of SBC Long Distance, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF Administrator to Commence Audit of SBC Long Distance, LLC and Order Setting Procedural Schedule***	19-SBLC-025-KSF	
10	In the Matter of the Audit of SBC Long Distance, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-SBLC-025-KSF	
11	In the Matter of the Audit of Granite Telecommunications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Granite Telecommunications, LLC and Order Setting Procedural Schedu***	19-GRTT-026-KSF	
12	In the Matter of the Audit of Granite Telecommunications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-GRTT-026-KSF	
13	In the Matter of the Audit of Bluestem Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Bluestem Telephone Company, Inc. and Order Setting Procedural Schedule***	19-BSTT-027-KSF	
14	In the Matter of the Audit of Bluestem Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-BSTT-027-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Audit of Fairpoint Communications of Missouri, Inc. by the Kansas Universal Service Fund (KUSF) Administra Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Fairpoint Communications of Missouri, Inc. and Order Setting Procedura Schedule***	19-FCMT-028-KSF	
16	In the Matter of the Audit of Fairpoint Communications of Missouri, Inc. by the Kansas Universal Service Fund (KUSF) Administra Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-FCMT-028-KSF	
17	In the Matter of the Audit of Sunflower Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Sunflower Telephone Company, Inc. and Order Setting Procedural Schedule***	19-SFLT-029-KSF	
18	In the Matter of the Audit of Sunflower Telephone Company, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-SFLT-029-KSF	
19	In the Matter of the Audit of Level 3 Telecom of Kansas City, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Level 3 Telecom of Kansas City, LLC and Order Setting Procedural Schedule***	19-XMCT-030-KSF	
20	In the Matter of the Audit of Level 3 Telecom of Kansas City, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-XMCT-030-KSF	
21	In the Matter of the Audit of Advantage Telecommunications Corp. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Advantage Telecommunications Corp. and Order Setting Procedural Schedule***	19-ATEC-031-KSF	
22	In the Matter of the Audit of Advantage Telecommunications Corp. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-ATEC-031-KSF	
23	In the Matter of the Audit of Boomerang Wireless, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Boomerang Wireless, LLC and Setting Procedural Schedule***	19-BOWZ-032-KSF	
24	In the Matter of the Audit of Boomerang Wireless, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-BOWZ-032-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the Matter of the Audit of Ready Wireless, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Ready Wireless, LLC and Order Setting Procedural Schedule***	19-RWLZ-033-KSF	
26	In the Matter of the Audit of Ready Wireless, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-RWLZ-033-KSF	
27	In the Matter of the Audit of Midcontinent Communications by the Kansas Universal Service Fund (KUSF) Administrator Pursuant K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF to Commence Audit of Midcontinent Communications and Order Setting Procedural Schedule***	19-MCCT-034-KSF	
28	In the Matter of the Audit of Midcontinent Communications by the Kansas Universal Service Fund (KUSF) Administrator Pursuant K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-MCCT-034-KSF	
29	In the Matter of the Audit of Level 3 Communications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuar to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order to KUSF Administrator to Commence Audit of Level 3 Communications and Order Setting Procedural Schedule***	19-L3CT-060-KSF	
30	In the Matter of the Audit of Level 3 Communications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuar to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 21, Fiscal Year March 2017-February 2018. ***Order Assessing Costs***	19-L3CT-060-KSF	
31	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. ***Order Approving Traffic Factors for McLeodUSA, Windstream, et al, and Paetec***	17-GIMT-008-GIT	
32	In the Matter of the Joint application of Green Acres Mobile Home Park LLC (GA) and Desperado Series Three LLC and MAM Investments Three LLC (DM), Joint Applicants, for an Order Approving the Transfer to DM of GA's Certificates/Licenses for the Operation of a Public Water Utility and for Other Related Relief ***Order Designating Prehearing Officer***	17-STMW-040-ACQ	
33	In the Matter of the Formal Complaint Against Westar Energy by Cecilia M. Greene ***Order Adopting Staff's Memorandum***	17-WSEE-472-COM	
34	In the Matter of the Application of Kansas Gas and Electric Company for Approval of the Amendment to the Energy Supply Agreement Between Kansas Gas and Electric Company and Occidental Chemical Corporation ***Order Designating Prehearing Officer***	18-KG&E-303-CON	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
35	In the Matter of Westar Energy Inc. and Kansas Gas and Electric Co. and Kansas City Power & Light Company, Compliance Filin Pursuant to Commission Order in Docket No. 15-WSEE-211-COM. ***Order Granting CURB's Petition to Intervene***	19-WSEE-011-CPL	
36	In the Matter of the Complaint against Westar by Shawnsa Christy ***Order Adopting Legal Memorandum***	19-WSEE-037-COM	
37	In the Matter of the Application of Kansas City Power & Light Company for Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility, Specifically in a Portion of Section 6, Township 13 South, Range 23 East, In Johnson County, Kansas ***Order Assessing Costs***	19-KCPE-062-COC	
38	In the Matter of the Joint Application of Kansas Electric Power Cooperative, Inc., and Sunflower Electric Power Cooperative for Approval of Master Purchase Power and Sale Agreement ***Order Assessing Costs***	19-KEPE-063-CON	
39	In the Matter of the Complaint of Kansas Gas Service, a Division of ONE Gas, Inc., Against Westar Energy, Inc., Regarding Westar's Practice of Offering Payments to Developers in Exchange for the Developers Designing All Electric Subdivisions. ***Order Assessing Costs***	19-KGSG-061-COM	
40	In the Matter of Magellan Pipeline Company, L.P., Filing Tariff Revisions Replacing Tariff K.C.C. No. 38 With Tariff K.C.C. No. 39 ***Order Approving Tariff Revisions***	18-MGPP-516-TAR	
41	In the matter of the failure of Prairie Gas Operating, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Hoppe #1, Banbury #' and Sell B #1 in Greeley County, Kansas. ***Penalty Order - Prairie Gas Operating, LLC***	19-CONS-3059-CPEN	
42	In the matter of the failure of ELM III Operating Company LLC ("Operator") to comply with K.A.R. 82-3-111 at the Etzold Unit Sout #5-4 in Seward County, Kansas. ***Penalty Order - ELM III Operating Company LLC***	19-CONS-3060-CPEN	
43	In the matter of the failure of Klima Well Service ("Operator") to comply with K.A.R. 82-3-111 at the Slentz #4 and Suchy #1 in Barton County, Kansas. ***Penalty Order - Klima Well Service***	19-CONS-3061-CPEN	
44	In the matter of the failure of Terry P. Bandy dba Te-Pe Oil & Gas ("Operator") to comply with K.A.R. 82-3-111 at the Cody #1 in R County, Kansas. ***Penalty Order - Terry P. Bandy dba Te-Pe Oil & Gas***	19-CONS-3062-CPEN	
45	In the matter of the failure of Elden R. Koehn ("Operator") to comply with K.A.R. 82-3-111 at the Johnson #1 in McPherson County Kansas. ***Penalty Order - Elden R. Koehn***	19-CONS-3063-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
46	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	19-TRAM-5010-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

CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027

PHONE: 785-271-3100
FAX: 785-271-3354
http://kcc.ks.gov/

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

Transportation Orders By Docket Number
19-TRAM-5010-TRA

Order Number	Description	Removed
18-6474	*In the Matter of the Emergency Suspension of Authority of JAMES V BIEKER of LAWRENCE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #1808277 JAMES V BIEKER of LAWRENCE KS - Emergency Order Suspending Authority	
18-6475	*In the Matter of the Emergency Suspension of Authority of T & A TRUCKING LLC of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #1967119 T & A TRUCKING LLC of GARDEN CITY KS - Emergency Order Suspending Authority	
18-6476	*In the Matter of the Emergency Suspension of Authority of SUNFLOWER TOW SERVICE LLC of SHAWNEE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2063523 SUNFLOWER TOW SERVICE LLC of SHAWNEE KS - Emergency Order Suspending Authority	
18-6477	*In the Matter of the Emergency Suspension of Authority of SASE & J LOGISTICS LLC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2911394 SASE & J LOGISTICS LLC of WICHITA KS - Emergency Order Suspending Authority	
18-6478	*In the Matter of the Emergency Suspension of Authority of JAMES M THOMPSON I JAMES M THOMPSON II & EILEEN J THOMPSON of BURDETT KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #394645 JAMES M THOMPSON I JAMES M THOMPSON II & EILEEN J THOMPSON of BURDETT KS - Emergency Order Suspending Authority	
18-6479	*In the Matter of the Emergency Suspension of Authority of EDWIN E WEHKAMP of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #609627 EDWIN E WEHKAMP of GARDEN CITY KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
19-TRAM-5010-TRA

Order Number	Description	Removed
18-6480	*In the Matter of the Emergency Suspension of Authority of CARMEN JOEL ENRIQUEZ ENRIQUEZ of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3084558 CARMEN JOEL ENRIQUEZ ENRIQUEZ of GARDEN CITY KS - Emergency Order Suspending Authority	
18-6481	*In the Matter of the Emergency Suspension of Authority of OSNIEL GARCIA-TORRES of DODGE CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3070856 OSNIEL GARCIA-TORRES of DODGE CITY KS - Emergency Order Suspending Authority	
18-6482	*In the Matter of the Emergency Suspension of Authority of 2 G RENTAL SOLUTIONS LLC of CANADIAN TX for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2565762 2 G RENTAL SOLUTIONS LLC of CANADIAN TX - Emergency Order Suspending Authority	
18-6483	*In the Matter of the Application of SMITH PREMIER TRANSPORT LLC of CANTON KS for Authority for a Certificate of Public Service.* USDOT #3133305 SMITH PREMIER TRANSPORT LLC of CANTON KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 10

End of Report