

Kansas Corporation Commission
Commission Meeting
September 6, 2018
2:00 p.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 2:00 p.m. on September 6, 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 recused himself from Item #22 consisting of seven dockets: 18-CONS-3313-CEXC; 18-CONS-3314-CEXC; 18-CONS-3315-CEXC; 18-CONS-3316-CEXC; 18-CONS-3317-CEXC; 18-CONS-3318-CEXC; 18-CONS-3319-CEXC. Commissioner Emler moved for approval of the remaining 21 Items on the Consent Agenda dated September 6, 2018 containing pages one through five and are attached to these Minutes. Commissioner Keen seconded the motion. The motion was approved.

Commissioner Emler moved for approval of Item #22 consisting of seven dockets on the Consent Agenda dated September 6, 2018. Chair Albrecht seconded the motion. The motion was approved.

2. **Noticed:**

- A. **Docket No. 18-CONS-3053-CSHO**

In the Matter of an Order to Show Cause issued to Southwind Petroleum Corporation ("Operator") for its failure to comply with K.A.R. 82-3-602 at the Dirks #27-2 in Rush County, Kansas.

Commissioner Keen moved for approval of order #18-7153- Order. Commissioner Emler seconded the motion.

The motion was approved.

- B. **Docket No. 18-CONS-3224-CINV**

In the Matter of a General Investigation to Examine the Legal Issues Pertaining to the Notice Requirements for Applications, Filed Between October 2008 and the Present, Seeking Underground Injection of Salt Water Pursuant to K.A.R. 82-3-402.

Commissioner Keen recused himself with a Recusal Statement attached to the Order. Commissioner Emler moved for approval of order #18-7154-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. Commissioner Keen seconded the motion. The motion was approved. The Commission adjourned the September 6, 2018 Commission Meeting at 2:09 p.m.

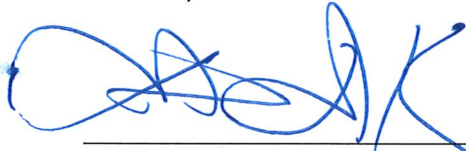
Respectfully submitted,



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: Thursday, September 6, 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 Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation. <i>Order Granting KMEA's and Garden City's Petitions to Intervene and Motions for Admission Pro Hac Vice</i>	19-SEPE-054-MER	
2	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 Holly Frontier El Dorado Refining LLC <i>Order Assessing Costs</i>	19-KG&E-091-CON	
3	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 <i>Order and Certificate</i>	19-KCPE-062-COC	
4	In the Matter of the Failure of Patrick Development Corporation ("Operator") to report activity that occurred during the 2017 calendar year in compliance with K.A.R. 82 3 409. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	19-CONS-3045-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Kansas City Power & Light Company to Make Certain Changes in Its Charges for Electric Service Order Amending Procedural Schedule; Designating New Prehearing Officer	18-KCPE-480-RTS	
6	In the Matter of the Investigation of Anthony Marley Miller, d/b/a Miller's Automotive of Concordia, Kansas, Regarding the Violation 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. Order Amending Penalty Assessment	19-TRAM-071-PEN	
7	In the Matter of an Order Reducing Saltwater Injection Rates into the Arbuckle Formation, Applicable to Wells in Defined Areas of Increase Seismic Activity in Harper and Sumner Counties. Order Designating New Prehearing Officer	15-CONS-770-CMSC	
8	In the Matter of the Application of Palomino Petroleum, Inc. to authorize the injection of saltwater into the Arbuckle Formation at the Carter Trust SWD #1 well located in the SW/4 of Section 23, Township 17 South, Range 26 West, Ness County, Kansas. Order Designating Prehearing Officer and Setting Prehearing Conference	19-CONS-3078-CUIC	
9	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. Order Designating New Prehearing Officer	18-CONS-3383-CWLE	
10	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. Order Designating New Prehearing Officer	18-CONS-3385-CUIC	
11	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 Order Granting Application to Cease Transacting the Business of an Electric Public Utility	19-WSEE-057-CCS	
12	Transportation orders to be approved by the Commission on the Consent Agenda. Transportation Economic Orders	19-TRAM-5015-TRA	
13	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 Holly Frontier El Dorado Refining LLC Suspension Order: April 25, 2019	19-KG&E-091-CON	
14	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Quasar Communications Corporation Order Cancelling Certificate and Writing Off Kansas Universal Service Fund Balance	19-QSRC-009-CCS	
15	In the matter of the failure of Gateway Resources U.S.A., Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Barta #7 20 in Montgomery County, Kansas. Penalty Order - Gateway Resources U.S.A. Inc.	19-CONS-3096-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the Matter of the Investigation of JDM Construction LLC of Basehor, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Penalty Order	19-DPAX-093-PEN	
17	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Reduced Rate Long Distance, LLC (IXC) Order Assessing Costs	19-RRLC-090-CCS	
18	In the Matter of the Investigation of Will Wilson, d/b/a BKW Enterprises of Tecumseh, 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. Penalty Order	19-TRAM-087-PEN	
19	In the Matter of the Application of Butler Electric Cooperative Assn Inc. for a Certificate of Convenience and Authority to Transact Business of a(n) Electric Public Utility in the State of Kansas. In Butler County Order Assessing Costs	19-BTRE-089-COC	
20	In the Matter of the Application of Kansas Gas Service, a Division of ONE Gas, Inc. for Approval by the Commission for Gas System Reliability Surcharge Per K.S.A. 66-2201 through 66-2204 Order Assessing Costs	19-KGSG-088-TAR	
21	In the Matter of the Application of Charles N. Griffin for an Order Authorizing the Drilling of Mollie #1H as a Horizontal Wellbore Upon its Mollie Lease Located in Barber County, Kansas Order Designating New Prehearing Officer	18-CONS-3283-CHOR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Bradford, Richard #1-5 well located in the NW/4 of Section 5, Township 30 South, Range 16 East, Wilson County, Kansas. Order Closing Docket	18-CONS-3313-CEXC	
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Ambrose, Mary #1-28 well located in the NE/4 of Section 28, Township 28 South, Range 15 East, Wilson County, Kansas. Order Closing Docket	18-CONS-3314-CEXC	
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Wilson, Kim #1-8 well located in the NE/4 of Section 8, Township 30 South, Range 16 East, Wilson County, Kansas. Order Closing Docket	18-CONS-3315-CEXC	
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Marler, Richard #1-16 well located in the NE/4 of Section 16, Township 30 South, Range 16 East, Wilson County, Kansas. Order Closing Docket	18-CONS-3316-CEXC	
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Bosch, David #1-17 well located in the SE/4 of Section 17, Township 30 South, Range 16 East, Wilson County, Kansas. Order Closing Docket	18-CONS-3317-CEXC	
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Johnson, Ron #1-16 well located in the SE/4 of Section 16, Township 30 South, Range 16 East, Wilson County, Kansas. Order Closing Docket	18-CONS-3318-CEXC	
22	In the matter of the application of SEK Energy, LLC ("Operator") for an exception to the 10-year time limitation of K.A.R. 82-3-111 its Beachner, Jim #3-4 well located in the NW/4 of Section 4, Township 32 South, Range 18 East, Labette County, Kansas. Order Closing Docket	18-CONS-3319-CEXC	
23	In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-111 at the Ray C #2 in Butler County, Kansas. Penalty Order - Benjamin M. Giles	19-CONS-3088-CPEN	
24	In the Matter of the Application of Black Hill/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy to Eliminate the Naming of its Electronic Bulletin Board. Order Approving Tariff Revisions	19-BHCG-065-TAR	
25	In the Matter of the Application of Merit Energy Company, LLC, to Drill the Tait B-6 as a Deviated Wellbore Pursuant to K.A.R. 82-3-103a to be Located in Section 3, Township 25 South, Range 33 West, Finney County, Kansas. Order Granting Application	19-CONS-3058-CHOR	
26	In the matter of the failure of Louise Burgoon dba B & L ("Operator") to comply with K.A.R. 82-3-120. Order Rescinding Penalty	19-CONS-3037-CPEN	


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

For the Commission :

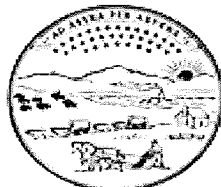

Shari Feist Albrecht, Chair


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 EMILER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

Transportation Orders By Docket Number 19-TRAM-5015-TRA

Order Number	Description	Removed
18-7069	<i>In the Matter of the Application of ANEW WORLD TRUCKING INC of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3154259 ANEW WORLD TRUCKING INC of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
18-7101	<i>In the Matter of the Application of TRINITY AG LLC of KENSINGTON KS for a Private Carrier Permit.</i> USDOT #3158483 TRINITY AG LLC of KENSINGTON KS - Order Granting Application for a Private Carrier Permit	
18-7105	<i>In the Matter of the Application of GC CORP of BARNES KS for Authority for a Certificate of Public Service.</i> USDOT #1705683 GC CORP of BARNES KS - Order Granting Application for Certificate of Public Service	
18-7149	<i>In the Matter of the Application of B & G SERVICES LLC of LIBERAL KS for a Private Carrier Permit.</i> USDOT #3126840 B & G SERVICES LLC of LIBERAL KS - Order Granting Application for a Private Carrier Permit	

Total # of Orders: 4

End of Report