

Kansas Corporation Commission
Commission Meeting
November 8, 2018
9:00 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 9:01 a.m. on November 8, 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 November 8, 2018 containing pages one through three and are attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 17-SWBT-158-MIS**

In the Matter of the Application of Southwestern Bell Telephone Company d/b/a AT&T Kanas for an order Confirming Relinquishment of its Eligible Telecommunications Carrier Designation in Specified Ares, and Notice Pursuant to K.S.A. 2015 Supp. 66-2006(d) of Intent to Cease Participation in the Kansas Lifeline Service Program.

Commissioner Keen moved for approval of order #18-0222 – Order Granting Oral Argument. Commissioner Emler seconded the motion.

The motion was approved.

- B. **Docket No. 18-WSEE-328-RTS**

In the Matter of the Joint Application of Westar Energy, Inc. and Kansas Gas and electric Company for Approval to make Certain Changes in their Charges for Electric Services.

Commissioner Emler moved for approval of order #18-0211 – Order on Petition for Reconsideration. Commissioner Keen seconded the motion.

The motion was approved.

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

Chair presented Christine Aarnes with Employee of the Quarter award.

The Business Meeting was recessed until 11:30 a.m.

The Business Meeting reconvened at 11:30 a.m. in the 1st floor hearing room.

4. **Other matters:**

- A. Chair Albrecht moved to meet in Executive Session for matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved, for a period of 10 minutes. Commissioner Emler seconded the motion.

The motion was approved.

The Commission moved into Executive Session at 11:32 a.m. in the 3rd floor Commission Conference Room and reconvened in public session at 11:43 a.m. in the 1st floor hearing room.

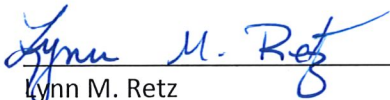
- B. The Commission took the following action following this Executive Session:

Commissioner Emler moved to authorize the Chair to move forward with a salary adjustment and to submit the appropriate paperwork to Department of Administration. 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. Commissioner Emler seconded the motion. The motion was approved. The Commission adjourned the November 8, 2018 Commission Meeting at 11:45 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: Thursday, November 8, 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 Rates for Rate-of-Return Regulated Carriers for the Twenty-Third Year of the Kansas Universal Service Fund, Effective March 1, 2019. <i>Order Approving Traffic Factors for New Cingular and Cricket Wireless</i>	19-GIMT-056-GIT	
2	In the Matter of a Joint Application of Bluestem Telephone Company, Inc., for Permission to Cease Operating as a Telephone Public Utility and Sunflower Telephone Company, Inc. for a Certificate of Convenience and Authority To Operate as a Telephone Public Utility in the Area Served by Bluestem Telephone Company, Inc. <i>Order Assessing Costs</i>	19-BSTT-172-CCS	
3	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 <i>Order Approving Gas System Reliability Surcharge</i>	19-KGSG-088-TAR	

Consent Agenda

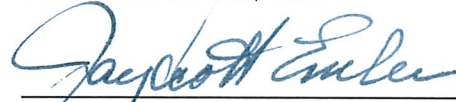
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of Compliance Filings by Kansas City Power & Light Company, Westar Energy, Inc., Kansas Gas and Electric Company and Evergy, Inc. Regarding Service Quality and Reliability Performance Standards Pursuant to the Commission's Order in Docket No. 18-KCPE-095-MER <i>Order Granting CURB's Petition to Intervene</i>	19-KCPE-178-CPL	
5	In the Matter of the Application of Kaw Pipe Line Company Revising Its Tariff Rates Based on the FERC Index for 2018 <i>Suspension Order: June 27, 2019</i>	19-KAWP-177-TAR	
6	In the Matter of the Formal Complaint Against Gateway Resources, USA Inc. for Multiple Violations of 82-3-402. Notice of Application by Publishing an Incomplete and, there, defective, Notice for an Application for Injection Well in October 6, 2018 Edition of the Coffeyville Journal <i>Order Adopting Staff's Memorandum</i>	19-CONS-3146-CMSC	
7	In the matter of the failure of Fleming Oil, LLC ("Operator") to comply with K.A.R. 82-3-120 at the Semisch #7 and Semisch #10 wells in Butler County, Kansas. <i>Plugging Order - Fleming Oil, LLC</i>	19-CONS-3165-CPEN	
8	In the Matter of the Investigation of HPR, Inc. of Hays, 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-176-PEN	
9	In the Matter of the Investigation of Commodity Express, LLC of Plains, 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-182-PEN	
10	In the Matter of the Investigation of Blackburn's All Star Roofing, Inc. of Kansas City, 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-183-PEN	
11	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	19-TRAM-5032-TRA	

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

For the Commission :



Shari Feist Albrecht, Chair

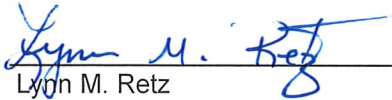


Jay Scott Emler, Commissioner



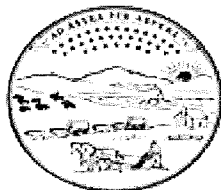
Dwight D. Keen, Commissioner

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 EMILER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

Transportation Orders By Docket Number 19-TRAM-5032-TRA

Order Number	Description	Removed
18-0096	<i>In the Matter of the Application of A & L TRUCKING LLC of NEWTON KS for the Abandonment of Certificate of Public Service.</i> USDOT #2468612 A & L TRUCKING LLC of NEWTON KS - Order Granting Request for Abandonment for Certificate of Public Service	
18-0205	<i>In the Matter of the Application of JEREMY MCDONALD of AUGUSTA KS for Authority for a Certificate of Public Service.</i> USDOT #3164267 JEREMY MCDONALD of AUGUSTA KS - Order Granting Application for Certificate of Public Service	
18-0206	<i>In the Matter of the Application of JEREMY MCDONALD of AUGUSTA KS for a Private Carrier Permit.</i> USDOT #3164267 JEREMY MCDONALD of AUGUSTA KS - Order Granting Application for a Private Carrier Permit	
18-0208	<i>In the Matter of the Application of RAUL E LANDAVERDE of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3200769 RAUL E LANDAVERDE of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
18-0215	<i>In the Matter of the Application of COUNTRYSIDE FEED LLC of HILLSBORO KS for a Private Carrier Permit.</i> USDOT #797730 COUNTRYSIDE FEED LLC of HILLSBORO KS - Order Granting Application for a Private Carrier Permit	
18-0218	<i>In the Matter of the Emergency Suspension of Authority of GERY SKOLOUT of COLBY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2451735 GERY SKOLOUT of COLBY KS - Emergency Order Suspending Authority	
18-0219	<i>In the Matter of the Emergency Suspension of Authority of REYMUNDO SIMON ESTRADA GARCIA of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2926259 REYMUNDO SIMON ESTRADA GARCIA of GARDEN CITY KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number
19-TRAM-5032-TRA**

Order Number	Description	Removed
18-0220	<i>In the Matter of the Emergency Suspension of Authority of CLIENT CONNECTION INC of ELSBERRY MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #707924 CLIENT CONNECTION INC of ELSBERRY MO - Emergency Order Suspending Authority	

Total # of Orders: 8

End of Report