

Kansas Corporation Commission
Commission Meeting
December 18, 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 December 18, 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 December 18, 2018 containing pages one through four and are attached to these Minutes. Commissioner Emler seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 18-CONS-3383-CWLE**

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.

Commissioner Emler moved for approval of order #18-10169 Order on Protestant's Renewed Motion to Dismiss Application and Motion to Strike Pre-Filed "Supplemental" Testimony of Kenton L. Hupp and Bill Jackson. Commissioner Keen seconded the motion.

The motion was approved.

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

- A. **FERC Docket No.**

Commissioner Emler moved the Commission to intervene and protest Tallgrass's filings in FERC Docket No. RP19-423 and to authorize counsel to make such filings as may be necessary regarding such action. Commissioner Keen second 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 December 18, 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

STATE OF KANSAS



CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

Motion to Intervene and Protest in FERC Docket No. RP19-423

Date: December 18, 2018

Docket No: Federal Energy Regulatory Commission Docket No. RP19-423

Background:

On December 6, 2018, Tallgrass Interstate Gas Transmission, LLC filed its FERC Form 501-G and a statement arguing that it need not reduce its rates to reflect the lower corporate income tax rate from the 2017 Tax Cuts and Jobs Act. Tallgrass claims it has a settlement agreement that imposes a rate moratorium and therefore, FERC should not initiate any proceedings at this time. However, Tallgrass's filings show the Company is currently receiving high ROEs.

Commission Staff and our D.C. counsel have reviewed Tallgrass' filings and recommend the Commission file an intervention and protest with FERC. OGC concurs with this recommendation.

Motion:

I move the Commission to intervene and protest Tallgrass's filings in FERC Docket No. RP19-423 and to authorize our counsel to make such filings as may be necessary regarding such action.



ITEMS OF Consent Agenda

Approval Date: Tuesday, December 18, 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 IdeaTek Telecom, LLC as an Eligible Telecommunications Carrier for Purposed of Receiving Federal Universal Service Support as Awarded Under the Connect America Fund Phase II Auction (Auction 903) Program. <i>Order Granting Eligible Telecommunications Carrier Status</i>	19-WLDT-102-ETC	
2	In the Matter of the Application of Southwestern Bell Telephone Company d/b/a AT&T Filing Revisions to the Access Service Tariff. <i>Order Assessing Costs</i>	19-SWBT-224-TAR	
3	In the Matter of the Application for Wisper ISP Inc. For Designation as an Eligible Telecommunications Carrier for Purposes of Receiving Federal Universal Service Support From the FCC Connect America Fund - Phase II <i>Order Assessing Costs</i>	19-WIIZ-225-ETC	
4	In the Matter of the Application of Ionex Communications, LLC Changing Name to Lingo Communications Midwest, LLC (CLEC) <i>Order Assessing Costs</i>	19-ICIT-226-CCN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Ionex Communications, LLC Changing Name to Lingo Communications Midwest, LLC (IXC) Order Assessing Costs	19-ICIC-227-CCN	
6	In the Matter of a General Investigation Regarding the Effect of Federal Income Tax Reform on the Revenue Requirements of Kansas Public Utilities and Request to Issue an Accounting Authority Order Requiring Certain Regulated Public Utilities to Defer Effects of Tax Reform to a Deferred Revenue Account. Order Granting Joint Motion for Approval of Settlement Agreement-Totah Comm., Inc.	18-GIMX-248-GIV	
7	In the Matter of the Application of ONEOK NGL Pipeline, L.L.C. for an Order Approving an Amendment to the Pipeline Capacity Lease Agreement with HollyFrontier Refining & Marketing LLC Order Approving Pipeline Capacity Lease Agreement Amendment and Certificate Extension	18-ONEP-502-CON	
8	In the Matter of the Application of Jayhawk Pipeline, L.L.C. for Permission to Cease Operating as a Liquids Pipeline Carrier in the State of Kansas Suspension Order July 29, 2019	19-JYHP-213-CCS	
9	In the Matter of the Application of The Empire District Electric Company for Approval of its Annual Energy Cost Adjustment ("ACA") Filing Order Granting the Citizens' Utility Ratepayer Board's Petition to Intervene, Protective Order and Discovery Order	19-EPDE-216-ACA	
10	In the Matter of the Application of ST Petroleum, Inc., for multiple well location exceptions to the standard drilling unit for the infill wells pursuant to K.A.R. 82-3-207(b) on exceptions for wells upon the Thomas A Lease located in Section 29, Township 14 South, Range 22 East in Johnson County, Kansas. Order Granting Application	19-CONS-3154-CWLE	
11	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 White #G-3, White #G-5 and Knisley Carol R #1-33 in Montgomery County, Kansas. Order Closing Docket	19-CONS-3101-CPEN	
12	In the matter of the failure of Belport Oil, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Zimmerman R #2 in Cowley County, Kansas. Penalty Order - Belport Oil, Inc.	19-CONS-3200-CPEN	
13	In the matter of the failure of Ace Energy LLC ("Operator") to comply with K.A.R. 82-3-111 at the Peggy Kruger #H75, Underwood 6 #N74, Underwood 6 #O89, Underwood 6 #P89 and Underwood 31 #Y35 in Crawford County, Kansas. Penalty Order - Ace Energy LLC	19-CONS-3205-CPEN	

Consent Agenda

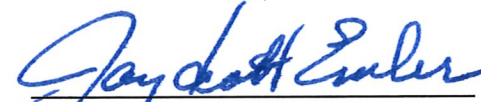
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of ADI Designs, L.L.C. of Kansas City, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Order Suspending Intrastate Motor Carrier Operations</i>	19-TRAM-137-PEN	
15	In the Matter of the Investigation of Superior Erosion Control Inc. of Moundridge, 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-222-PEN	
16	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	19-TRAM-5040-TRA	
17	In the Matter of the Application of The Empire District Electric Company for Approval of the Commission to Make Certain Changes in its Charges for Electric Service <i>Order Granting CURB Intervention, Protective and Discovery Orders</i>	19-EPDE-223-RTS	
18	In the Matter of the Application of The Empire District Electric Company for Approval of the Commission to Make Certain Changes in its Charges for Electric Service <i>Suspension Order</i>	19-EPDE-223-RTS	

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

For the Commission :



Shari Feist Albrecht, Chair

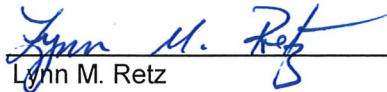


Jay Scott Emler, Commissioner



Dwight D. Keen, Commissioner

Attest:



Lynn M. Retz
Secretary to the Commission

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GOVERNOR JEFF COLYER, M.D.
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Transportation Orders By Docket Number 19-TRAM-5040-TRA

Order Number	Description	Removed
20181211074245	<i>In the Matter of the Application of GEORGE JONES of WICHITA KS for the Abandonment of Certificate of Public Service.</i> USDOT #1711664 GEORGE JONES of WICHITA KS - Order Granting Request for Abandonment for Certificate of Public Service	
20181211074658	<i>In the Matter of the Application of ROLLIND BARTEL of HILLSBORO KS for the Abandonment of Certificate of Public Service.</i> USDOT #1289444 ROLLIND BARTEL of HILLSBORO KS - Order Granting Request for Abandonment for Certificate of Public Service	
20181211083443	<i>In the Matter of the Application of REEB TRUCKING LLC of SHICKLEY NE for Authority for a Certificate of Public Service.</i> USDOT #1545216 REEB TRUCKING LLC of SHICKLEY NE - Order Granting Application for Certificate of Public Service	
20181211131354	<i>In the Matter of the Application of THOMAS HAMMER of IOLA KS for Authority for a Certificate of Public Service.</i> USDOT #1332459 THOMAS HAMMER of IOLA KS - Order Granting Application for Certificate of Public Service	
20181211142137	<i>In the Matter of the Application of PINEDA COMMODITY LLC of ULYSSES KS for Authority for a Certificate of Public Service.</i> USDOT #3200782 PINEDA COMMODITY LLC of ULYSSES KS - Order Granting Application for Certificate of Public Service	
20181211144019	<i>In the Matter of the Application of SCOTT L LANG of FOWLER KS for Authority for a Certificate of Public Service.</i> USDOT #3167280 SCOTT L LANG of FOWLER KS - Order Granting Application for Certificate of Public Service	
20181213100841	<i>In the Matter of the Application of COUNTRY CORNER INC of GARDEN CITY KS for the Abandonment of Certificate of Public Service.</i> USDOT #1691191 COUNTRY CORNER INC of GARDEN CITY KS - Order Granting Request for Abandonment for Certificate of Public Service	

**Transportation Orders By Docket Number
19-TRAM-5040-TRA**

Order Number	Description	Removed
20181213134431	<i>In the Matter of the Application of RYTY TRUCKING LLC of SELDEN KS for Authority for a Certificate of Public Service.</i> USDOT #3212719 RYTY TRUCKING LLC of SELDEN KS - Order Granting Application for Certificate of Public Service	
20181213134719	<i>In the Matter of the Application of 4JANDM WEST LLC of DODGE CITY KS for a Private Carrier Permit.</i> USDOT #3192613 4JANDM WEST LLC of DODGE CITY KS - Order Granting Application for a Private Carrier Permit	
20181213151800	<i>In the Matter of the Application of JDH ENTERPRISE LLC of WAKEENEY KS for Authority for a Certificate of Public Service.</i> USDOT #3209091 JDH ENTERPRISE LLC of WAKEENEY KS - Order Granting Application for Certificate of Public Service	

Total # of Orders:

10

End of Report