

Kansas Corporation Commission
Commission Meeting
January 31, 2019
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 10:01 a.m. on January 31, 2019 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner Emler moved for approval of the Items on the Consent Agenda dated January 31, 2019 containing pages one through five and are attached to these Minutes. Commissioner Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 18-KGSG-560-RTS**

In the Matter of the Application of Kanas Gas Service, A Division of one Gas, Inc., for Adjustment of its Natural Gas Rates in the State of Kansas.

Chairman Keen requested for the matter to be passed over to next weeks' noticed agenda. No objections.

3. **Other matters:**

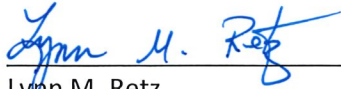
- A. Chair Keen moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319(b)(2), for consultation with an attorney, to obtain legal advice, for a period of 15 minutes. Also called into the Executive Session was Brian Fedotin, Deputy General Counsel. Commissioner Emler seconded the motion. The Commission will reconvene in the 1st Floor Hearing room at 10:25 a.m.

The motion was approved.

The Commission moved into Executive Session at 10:10 a.m. and reconvened in public session at 10:25 a.m. No action was taken.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting. Commissioner Emler seconded the motion. The motion was approved. The Commission adjourned the January 31, 2019 Commission Meeting at 10:25 a.m.

Respectfully submitted,



Lynn M. Retz
Secretary to the Commission



Dwight D. Keen, Chair



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, January 31, 2019

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 Wilson Communication Company Inc. dba Wilson Communications, for a Certificate of Convenience and Authority to Provide Local Exchange and Exchange Access Service Within the Sate of Kansas. <i>Order and Certificate</i>	19-WILT-199-COC	
2	In the Matter of the Application For Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With MCC Telephony of the Midwest, LLC <i>Order Assessing Costs</i>	19-SWBT-286-IAT	
3	In the Matter of the General Investigation for Ionex Communications, LLC to Show Cause Why This Commission Should Not Initiate Sanctions and Fines and/or All Certificates of Convenience and Authority the Company Holds be Suspended, Canceled, or Revoked for Non-Compliance with Kansas Statutes and Commission Orders. <i>Order Designating Prehearing Officer</i>	19-ICIT-179-SHO	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of TDR Construction, Inc. to authorize injection of saltwater into the Squirrel formation at the McCoy #4WA, #8W and #9W wells, located in Section 32, Township 15 South, Range 21 East, Franklin County, Kansas. <i>Protective and Discovery Order</i>	19-CONS-3167-CUIC	
5	In the Matter of the Application of TDR Construction, Inc. to authorize injection of saltwater into the Squirrel formation at the McCoy #4WA, #8W and #9W wells, located in Section 32, Township 15 South, Range 21 East, Franklin County, Kansas. <i>Order Setting Procedural Schedule and Designating New Prehearing Officer</i>	19-CONS-3167-CUIC	
6	In the Matter of the Application of TDR Construction, Inc. to authorize injection of saltwater into the Squirrel formation at the Superior #I-1 well, located in Section 10, Township 16 South, Range 21 East, Franklin County, Kansas. <i>Protective and Discovery Order</i>	19-CONS-3168-CUIC	
7	In the Matter of the Application of TDR Construction, Inc. to authorize injection of saltwater into the Squirrel formation at the Superior #I-1 well, located in Section 10, Township 16 South, Range 21 East, Franklin County, Kansas. <i>Order Setting Procedural Schedule and Designating New Prehearing Officer</i>	19-CONS-3168-CUIC	
8	In the Matter of the Complaint Against Westar Energy by Daniel F. Smalley <i>Order Dismissing Formal Complaint</i>	18-WSEE-209-COM	
9	In the Matter of the Application of Wynn-Crosby Operating, Ltd. for an Exception to the 10-Year Time Limitation of K.A.R. 82-3-111 for its Santa Fe Unit B Well #1-2 Located in the SE/4 of Section 18, Township 33 South, Range 40 West, Morton County, Kansas. <i>Order Granting Application</i>	19-CONS-3148-CEXC	
10	In the Matter of the Application of Venture Resources, Inc. for an Exception to the 10-Year Time Limitation of K.A.R. 82-3-111 for its Pywell B #1 Well located in the SW/4 NE/4 Sec. 35, Township 9 South, Range 20 West, Rooks County, Kansas. <i>Order Granting Application</i>	19-CONS-3203-CEXC	
11	In the Matter of the Application of Casillas Petroleum Corp. for an Exception to the 10-Year Time Limitation of K.A.R. 82-3-111 for its Eubank "A" No. 2 Well located in the SW/4 of Section 33, Township 28 South, Range 34 West, Haskell County, Kansas. <i>Order Granting Application</i>	19-CONS-3202-CEXC	
12	In the matter of the failure of Pride Energy Company, a General Partnership ("Operator") to comply with K.A.R. 82-3-111 at the Lowry (1) #H-9, City of Stockton Cementary #1, Anspach #H-8 (I) and City of Stockton #2-19 in Rooks County, Kansas. <i>Shut-In Order</i>	19-CONS-3164-CPEN	
13	In the Matter of the Application of Wamego Telecommunications Filing Revision to its Discount Bundles <i>Order Assessing Costs</i>	19-WTCT-285-TAR	

Consent Agenda

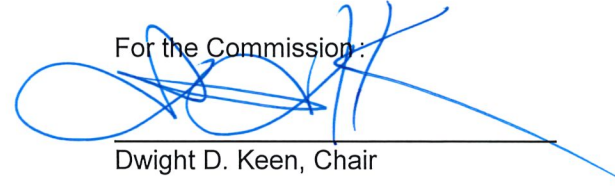
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Application of Cox Kansas Telecom, LLC Notice of Relinquishment of Eligible Telecommunications Carrier Designation. Order Assessing Costs	19-COXT-282-ETC	
15	In the Matter of the Application of United Telephone Companies of Kansas Filing Tariff Revisions to Grandfather Essential Home Phone with Long Distance Order Assessing Costs	19-UTDT-281-TAR	
16	In the Matter of the Investigation of Coldliner Express, Inc. of Columbus, Ohio, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation for Violation(s) of the Kansas 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 Approving Stipulated Settlement Agreement	19-GIMM-069-KHP	
17	In the matter of the failure of Ensminger Energy LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the McFadden #W-3 A in Allen County, Kansas. Penalty Order - Ensminger Energy LLC	19-CONS-3243-CPEN	
18	In the matter of the failure of W & W Production Company, General Partnership ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Harner #W-58 in Allen County, Kansas. Penalty Order - W & W Production Company, General Partnership	19-CONS-3245-CPEN	
19	In the matter of the failure of Arcadian Resources, LLC ("Operator") to comply with K.A.R. 82-3-117 at the Jerone #1-31 well in Thomas County, Kansas. Penalty Order - Arcadian Resources, LLC	19-CONS-3250-CPEN	
20	In the matter of the failure of Ace Energy LLC ("Operator") to comply with K.A.R. 82-3-602 at the DR Nelson #DR #1 and DR Nelson #DR #4 well in Allen County, Kansas. Penalty Order - Ace Energy LLC	19-CONS-3252-CPEN	
21	In the matter of the failure of Black Rock Resources, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Wright #1-25 well in Logan County, Kansas. Penalty Order - Black Rock Resources, LLC	19-CONS-3254-CPEN	
22	In the Matter of the Investigation of Custom Neon and Vinyl Graphics, Inc. of Topeka, 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-278-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the Matter of the Investigation of Assembly Man Services, LLC of Lenexa, 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 Approving Stipulated Settlement Agreement</i>	19-TRAM-131-PEN	
24	In the Matter of the Emergency Suspension of Operating Authority of Privileged Hauling LLC of Leawood, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	19-TRAM-288-OOS	
25	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	19-TRAM-5049-TRA	
26	In the Matter of the Complaint of Ideatek Telecom, LLC Against Nex-Tech and Rural Telephone Service Company Regarding Disconnection of Service, Request for Interim Ruling and Request for Expedited Review <i>Order Designating Examiner</i>	19-RRLT-277-COM	

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

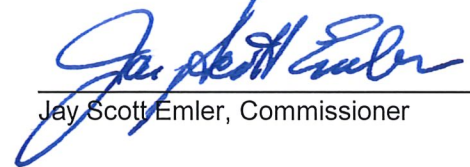
For the Commission:



Dwight D. Keen, Chair



Shari Feist Albrecht, Commissioner



Jay Scott Emler, Commissioner

Attest:



Lynn M. Retz
Secretary to the Commission

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Dwight D. Keen, Chair
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number 19-TRAM-5049-TRA

Order Number	Description	Removed
20190125111547	<i>In the Matter of the Application of H&L FARMS LLC of ST JOHN KS for the Abandonment of Certificate of Public Service.</i> USDOT #2910897 H&L FARMS LLC of ST JOHN KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190125112747	<i>In the Matter of the Application of RJS BUS SERVICE LLC of LEAVENWORTH KS for the Abandonment of Certificate of Public Service.</i> USDOT #2584408 RJS BUS SERVICE LLC of LEAVENWORTH KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190125124639	<i>In the Matter of the Application of FRANCISCO BARBOSA of ULYSSES KS for a Private Carrier Permit.</i> USDOT #2478494 FRANCISCO BARBOSA of ULYSSES KS - Order Granting Application for a Private Carrier Permit	
20190125125232	<i>In the Matter of the Application of KY VAN ROSSUN of NEWTON KS for Authority for a Certificate of Public Service.</i> USDOT #2547106 KY VAN ROSSUN of NEWTON KS - Order Granting Application for Certificate of Public Service	
20190125125610	<i>In the Matter of the Application of JOSE HERNANDEZ BARRERA of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3213138 JOSE HERNANDEZ BARRERA of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
20190125130425	<i>In the Matter of the Application of FRANCISCO PORRAS of ULYSSES KS for a Private Carrier Permit.</i> USDOT #2478867 FRANCISCO PORRAS of ULYSSES KS - Order Granting Application for a Private Carrier Permit	
20190125132537	<i>In the Matter of the Application of CK2 CARTAGE COMPANY LLC of INDEPENDENCE KS for the Abandonment of Certificate of Public Service.</i> USDOT #2052995 CK2 CARTAGE COMPANY LLC of INDEPENDENCE KS - Order Granting Request for Abandonment for Certificate of Public Service	

**Transportation Orders By Docket Number
19-TRAM-5049-TRA**

Order Number	Description	Removed
20190125133505	<i>In the Matter of the Application of A PLUS TRANSPORT LLC of ELKHART KS for the Abandonment of Certificate of Public Service.</i> USDOT #2458167 A PLUS TRANSPORT LLC of ELKHART KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190125133939	<i>In the Matter of the Application of ARFSTEN TRUCKING INC of LEOTI KS for the Abandonment of Certificate of Public Service.</i> USDOT #929333 ARFSTEN TRUCKING INC of LEOTI KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190125134332	<i>In the Matter of the Application of SWINE TRANSPORTATION SERVICES LLC of ALMENA KS for the Abandonment of Certificate of Public Service.</i> USDOT #1051611 SWINE TRANSPORTATION SERVICES LLC of ALMENA KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190125135124	<i>In the Matter of the Application of DAVES TRUCK SERVICE of ALBERT KS for the Abandonment of Certificate of Public Service.</i> USDOT #863550 DAVES TRUCK SERVICE of ALBERT KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190128111021	<i>In the Matter of the Application of RONALD A WEBER of SAINT JOHN KS for Authority for a Certificate of Public Service.</i> USDOT #329128 RONALD A WEBER of SAINT JOHN KS - Order Granting Application for Certificate of Public Service	
20190128111824	<i>In the Matter of the Application of SOUTHWIND OIL CORP of AUGUSTA KS for Authority for a Certificate of Public Service.</i> USDOT #900216 SOUTHWIND OIL CORP of AUGUSTA KS - Order Granting Application for Certificate of Public Service	
20190128113256	<i>In the Matter of the Application of VILLAGRANA TRUCKING LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #2541929 VILLAGRANA TRUCKING LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20190128114459	<i>In the Matter of the Application of BEARD PROPANE INC of ERIE KS for a Private Carrier Permit.</i> USDOT #964728 BEARD PROPANE INC of ERIE KS - Order Granting Application for a Private Carrier Permit	
20190128144039	<i>In the Matter of the Application of DE ALBA TRUCKING LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3227999 DE ALBA TRUCKING LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20190128145221	<i>In the Matter of the Emergency Suspension of Authority of ERASMO GALAN ROMERO of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3111590 ERASMO GALAN ROMERO of GARDEN CITY KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number
19-TRAM-5049-TRA**

Order Number	Description	Removed
20190128145221	<i>In the Matter of the Emergency Suspension of Authority of LADDER HEROES PACKING LLC of OVERLAND PARK KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2142793 LADDER HEROES PACKING LLC of OVERLAND PARK KS - Emergency Order Suspending Authority	
20190128145221	<i>In the Matter of the Emergency Suspension of Authority of FUSION AG SOLUTIONS INC of SABETHA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2910156 FUSION AG SOLUTIONS INC of SABETHA KS - Emergency Order Suspending Authority	
20190128145630	<i>In the Matter of the Application of RET TRUCKING LLC of KINGMAN KS for Authority for a Certificate of Public Service.</i> USDOT #2544047 RET TRUCKING LLC of KINGMAN KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 20

End of Report