

**Kansas Corporation Commission**

**Commission Meeting**

**June 27, 2019**

10:00 a.m. 1<sup>st</sup> 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 June 27, 2019 in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner Albrecht moved for approval of the Items on the Consent Agenda dated June 27, 2019 containing pages one through three and are attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 19-GIME-504-GIE**

In the Matter of a General Investigation Regarding the Possible Implementation of a Separate Schools-Only Tariff in Kansas City Power & Light's Service Territory.

Commissioner Albrecht moved for approval of order #19-1073 – Order Opening General Investigation. Commissioner Duffy seconded the motion.

The motion was approved.

- B. **Docket No. 15-CONS-770-CMSC**

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

Commissioner Albrecht moved for approval of order #19-1087 – Order Directing Staff to File Report and Recommendation. Commissioner Duffy seconded the motion.

The motion was approved.

3. **Other matters:**

- A. Chair Keen 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 30 minutes. Commissioner Albrecht seconded the motion. The Commission will reconvene in the 1<sup>st</sup> Floor Hearing room at 10:37 a.m.

The motion was approved.

The Commission moved into Executive Session at 10:07 a.m. and reconvened in public session at 10:37 a.m. No action was taken.

- B. Commissioner 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 5 minutes. Commissioner Duffy seconded the motion. The Commission will reconvene in the 1<sup>st</sup> Floor Hearing room at 10:43 a.m.

The motion was approved.

The Commission moved into Executive Session at 10:38 a.m. and reconvened in public session at 10:43 a.m.

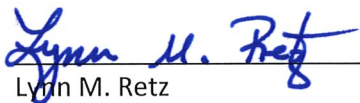
The Commission took the following action following this Executive Session:

Commissioner Albrecht moved to authorize the Chair to extend an offer of employment to fill a vacant position. Commissioner Duffy seconded the motion.

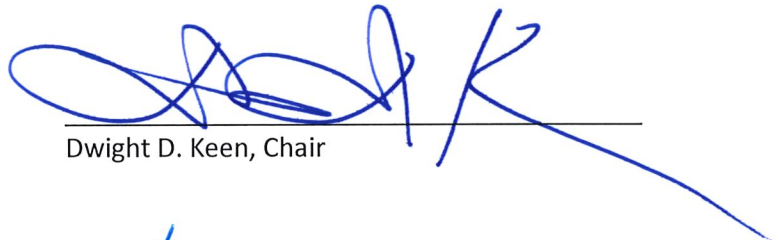
The motion was approved.

**There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The motion was approved. The Commission adjourned the June 27, 2019 Commission Meeting at 10:44 a.m.**

Respectfully submitted,



Lynn M. Retz  
Secretary to the Commission



Dwight D. Keen, Chair



Shari Feist Albrecht, Commissioner



Susan K. Duffy, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, June 27, 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 Thomas Garner, Inc. an exception to the pit closure time limitation of K.A.R. 82-3-602 at its Garner #7 located in the NE/4 of Section 15, Township 25 South, Range 13 West, Stafford County, Kansas. <i>Order Closing Docket</i>	19-CONS-3300-CEXC	
2	In the matter of the failure of Ace Energy LLC ("Operator") to comply with K.A.R. 82-3-111 at the Gillman #A-1 in Montgomery County, Kansas. <i>Penalty Order - Ace Energy LLC</i>	19-CONS-3415-CPEN	
3	In the matter of the failure of Yellow Dog Energy, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Yellow Dog Energy, LLC</i>	19-CONS-3417-CPEN	
4	In the matter of the failure of Petro Kansas, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Petro Kansas, LLC</i>	19-CONS-3419-CPEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of Triple Crown Operating LLC ("Operator") to comply with K.A.R. 82-3-111 at the Schwartz #1-16 in Ness County, Kansas. <b><i>Penalty Order - Triple Crown Operating LLC</i></b>	19-CONS-3416-CPEN	
6	In the matter of the failure of Bickle Energies LLC ("Operator") to comply with K.A.R. 82 3 120. <b><i>Penalty Order - Bickle Energies LLC</i></b>	19-CONS-3420-CPEN	
7	In the matter of the failure of D K Oil Services LLC ("Operator") to comply with K.A.R. 82 3 120. <b><i>Penalty Order - D K Oil Services LLC</i></b>	19-CONS-3421-CPEN	
8	In the matter of the failure of Paradigm Energy LLC ("Operator") to comply with K.A.R. 82 3 120. <b><i>Penalty Order - Paradigm Energy LLC</i></b>	19-CONS-3422-CPEN	
9	In the Matter of the Application of Time Warner Cable Midwest LLC, d/b/a Time Warner Cable Filing for Kansas Video Service Authorization. <b><i>Order Approving Video Service Authorization</i></b>	13-TWMC-206-VSA	
10	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Access Point, Inc. (CLEC) <b><i>Order Cancelling CLEC Certificate of Convenience and Authority</i></b>	19-APTC-382-CCS	
11	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Access Point, Inc. (IXC) <b><i>Order Cancelling IXC Certificate of Convenience and Authority</i></b>	19-APTC-383-CCS	
12	In the Matter of the Investigation of Hummel Tree Service, Inc. of Manhattan, 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. <b><i>Penalty Order</i></b>	19-TRAM-522-PEN	
13	In the Matter of the Complaint Against Westar Energy by Andrea Gates <b><i>Order Adopting Staff's Report and Recommendation</i></b>	19-WSEE-010-COM	
14	Transportation orders to be approved by the Commission on the Consent Agenda. <b><i>Transportation Economic Orders</i></b>	19-TRAM-5088-TRA	

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

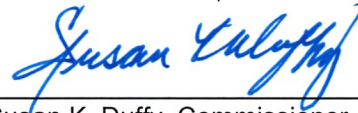
For the Commission :

  
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Dwight D. Keen, Chair

  
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Shari Feist Albrecht, Commissioner

  
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Susan K. Duffy, Commissioner

Attest:

  
\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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Dwight D. Keen, Chair  
Shari Feist Albrecht, Commissioner  
Susan K. Duffy, Commissioner

Laura Kelly, Governor

### Transportation Orders By Docket Number 19-TRAM-5088-TRA

Order Number	Description	Removed
20190621134450	<i>In the Matter of the Application of THOMAS C COLAROSSO of GLEN ELDER KS for Authority for a Certificate of Public Service.</i> USDOT #2178919 THOMAS C COLAROSSO of GLEN ELDER KS - Order Granting Application for Certificate of Public Service	
20190621142518	<i>In the Matter of the Application of DAVES INC of INDEPENDENCE KS for Authority for a Certificate of Public Service.</i> USDOT #928557 DAVES INC of INDEPENDENCE KS - Order Granting Application for Certificate of Public Service	
20190621144436	<i>In the Matter of the Application of A &amp; A TRANSPORT LLC of LIBERAL KS for Authority for a Certificate of Public Service.</i> USDOT #3216274 A & A TRANSPORT LLC of LIBERAL KS - Order Granting Application for Certificate of Public Service	
20190621144939	<i>In the Matter of the Application of FREIGHT TRAIN TRANSPORT LLC of MONTEZUMA KS for Authority for a Certificate of Public Service.</i> USDOT #2998370 FREIGHT TRAIN TRANSPORT LLC of MONTEZUMA KS - Order Granting Application for Certificate of Public Service	
20190624084349	<i>In the Matter of the Application of DAVID DEFLITCH of LENEXA KS for Authority for a Certificate of Public Service.</i> USDOT #3222626 DAVID DEFLITCH of LENEXA KS - Order Granting Application for Certificate of Public Service	
20190624102629	<i>In the Matter of the Application of WOLVERINE HYDROVAC SERVICES LLC of PRATT KS for a Private Carrier Permit.</i> USDOT #3284771 WOLVERINE HYDROVAC SERVICES LLC of PRATT KS - Order Granting Application for a Private Carrier Permit	
20190624103345	<i>In the Matter of the Application of GABRIEL LOPEZ of EMPORIA KS for Authority for a Certificate of Public Service.</i> USDOT #1358107 GABRIEL LOPEZ of EMPORIA KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number  
19-TRAM-5088-TRA**

Order Number	Description	Removed
20190624104314	<i>In the Matter of the Application of FALCON EXPRESS LLC of LENEXA KS for Authority for a Certificate of Public Service.</i> USDOT #3258065 FALCON EXPRESS LLC of LENEXA KS - Order Granting Application for Certificate of Public Service	
20190624110819	<i>In the Matter of the Application of JOSE ANDRES ZUBIA JUAREZ of LIBERAL KS for Authority for a Certificate of Public Service.</i> USDOT #3274390 JOSE ANDRES ZUBIA JUAREZ of LIBERAL KS - Order Granting Application for Certificate of Public Service	
20190624110922	<i>In the Matter of the Application of BRADLEY LELAND TRUCKING LLC of BRICELYN MN for Authority for a Certificate of Public Service.</i> USDOT #449734 BRADLEY LELAND TRUCKING LLC of BRICELYN MN - Order Granting Application for Certificate of Public Service	
20190624145426	<i>In the Matter of the Application of KEVIN CAIN of JUNCTION CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3282330 KEVIN CAIN of JUNCTION CITY KS - Order Granting Application for Certificate of Public Service	
20190624150223	<i>In the Matter of the Emergency Suspension of Authority of JERRY TAYLOR INC of LAWRENCE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #249590 JERRY TAYLOR INC of LAWRENCE KS - Emergency Order Suspending Authority	

Total # of Orders:

12

**End of Report**