

Kansas Corporation Commission
Commission Meeting
September 5, 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 10:03 a.m. on September 5, 2019 in the 1st 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 September 5, 2019 containing pages one through four and are attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

2. **Other Matters:**
 - A. Recognition of employees retiring from the Kansas Corporation Commission, Gerrie Lippert and Connie Lannan.
 - B. Chair Keen moved to meet in Executive Session for personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved, to discuss hiring, for a period of 30 minutes. Also called into the Executive Session was Brian Fedotin, General Counsel. Commissioner Albrecht seconded the motion. The Commission will reconvene in the 1st Floor Hearing room at 11:38 a.m.

The motion was approved.

The Commission moved into Executive Session at 11:08 a.m. and reconvened in public session at 11:38 a.m. No action was taken.

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 September 5, 2019 Commission Meeting at 10:38 a.m.

Respectfully submitted,



Lynn M. Retz
Executive Director



Dwight D. Keen, Chair



Shari Feist Albrecht, Commissioner



Susan K. Duffy, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, September 5, 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 Quality of Service Report Filings for Local Exchange Carriers. <i>Order Adopting Staff's Recommendations; Penalty Assessment for Centurylink and Consolidated</i>	14-GIMT-118-CPL	
2	In the Matter of the Application of Robinette Oil Company LLC to authorize injection of saltwater into the McLouth formation at the Zachariah #2-90 and Zachariah #5-90 wells, located in the SW/4 of Section 9, Township 9 South, Range 20 East, Jefferson County, Kansas. <i>Default Order Against Protester</i>	19-CONS-3423-CUIC	
3	In the Matter of a General Investigation to Evaluate Allowing Electric and Gas Utilities the Authority to Accept Irrevocable Letters of Credit in Lieu of Cash Deposits for System Expansion Related to Residential Development. <i>Order Granting Joint Motion for Approval of Unanimous Settlement</i>	19-GIMX-256-GIV	
4	In the Matter of Mitel Cloud Services, Inc. Notice of Service Discontinuance and Request for Cancellation of Telecommunications Authorizations (CLEC) <i>Order Assessing Costs</i>	20-ITNC-078-CCS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Mitel Cloud Services, Inc. Notice of Service Discontinuance and Request for Cancellation of Telecommunications Authorizations (IXC) Order Assessing Costs	20-ITNC-079-CCS	
6	In the Matter of the Application Windstream Nebraska, Inc.'s Response to Blue Valley Tele-Communications Exchange Boundary Request. Oketo Exchange and Windstream Nebraska's Barneston Exchange. Order Assessing Costs	20-WMNT-070-CXB	
7	In the Matter of the Application of Moundridge Telephone Company Filing Revision for Maintenance of Service Charge. Order Assessing Costs	20-MRGT-091-TAR	
8	In the Matter of the Application of Kansas Gas Service, a Division of ONE Gas, Inc. for Approval by the Commission for a Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204. Order Assessing Costs	20-KGSG-090-TAR	
9	In the Matter of Magellan Pipeline Company, L.P., Filing Tariff Revisions Replacing Tariff K.C.C. No. 39 With Tariff K.C.C. No. 40. Order Approving Tariff Revisions	19-MGPP-495-TAR	
10	In the Matter of An Investigation to Determine the Assessment Rate for the Twenty-Fourth Year of the Kansas Universal Service Fund, Effective March 1, 2020. Order Assessing Costs	20-GIMT-086-GIT	
11	In the matter of the failure of Agricultural Energy Services ("Operator") to comply with K.A.R. 82-3-602 at the Don Thorp #3-23 well in Seward County, Kansas. Penalty Order - Agricultural Energy Services	20-CONS-3073-CPEN	
12	In the matter of the failure of Freeman Land & Cattle Ltd. ("Operator") to comply with K.A.R. 82-3-117 at the Montgomery A #1 and Montgomery 1-A #3 wells in Cowley County, Kansas. Penalty Order - Freeman Land & Cattle Ltd.	20-CONS-3069-CPEN	
13	In the matter of the failure of Summit Operating LLC ("Operator") to comply with K.A.R. 82-3-117 at the Roth-Robben #2-21 and Younger #1-17 wells in Rush County, Kansas. Penalty Order - Summit Operating LLC	20-CONS-3065-CPEN	
14	In the matter of the failure of Paul L. Cambron ("Operator") to comply with K.A.R. 82-3-117 at the Roth G #1 well in Ness County, Kansas. Penalty Order - Paul L. Cambron	20-CONS-3067-CPEN	
15	In the matter of the failure of Patterson Energy LLC ("Operator") to comply with K.A.R. 82-3-602 at the Beach 'A' #2, Cress #7 and Coffman #1 well in Ellis and Lyon County, Kansas. Penalty Order - Patterson Energy LLC	20-CONS-3070-CPEN	


Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the matter of the failure of Molitor Oil, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Keller #2 in Kiowa County, Kansas. Penalty Order - Molitor Oil, Inc.	20-CONS-3072-CPEN	
17	In the Matter of the Investigation of AmericanAlliance, LLC of Leawood, Kansas, 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	20-GIMM-089-KHP	
18	In the Matter of the Emergency Suspension of Operating Authority of Gary Tucker of Smith Center, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	19-TRAM-376-OOS	
19	In the Matter of the Emergency Suspension of Operating Authority of Martin Medina, d/b/a Medina's Installation of Pittsburg, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	19-TRAM-455-OOS	
20	In the Matter of the Investigation of 5050 Enterprises LLC of Burlington, Iowa, 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 Withdrawing 5050 Enterprises LLC's Request for Hearing and Closing Docket	20-GIMM-077-KHP	
21	In the Matter of the Investigation of Ostmeyer Hay Farm, Inc. of Oakley, Kansas, Regarding the 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. Penalty Order	20-TRAM-092-PEN	
22	In the Matter of the Emergency Suspension of Operating Authority of Tonys Jr Drill LLC of Bonner Springs, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	20-TRAM-042-OOS	
23	In the Matter of the Investigation of TX Valley Produce and Meat Distribution, Inc. of Kansas City, Kansas, Regarding the 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. Penalty Order	20-TRAM-093-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the Matter of the Investigation of G & G Dozer Company, LLC of Caney, Kansas, Regarding the 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. <i>Penalty Order</i>	20-TRAM-094-PEN	
25	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	20-TRAM-5014-TRA	

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

For the Commission:

Dwight D. Keen, Chair


Shari Fejst Albrecht, Commissioner


Susan K. Duffy, Commissioner

Attest: 
Lynn M. Retz
Executive Director

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
Susan K. Duffy, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number 20-TRAM-5014-TRA

Order Number	Description	Removed
20190827082352	<i>In the Matter of the Application of LUIS AVILA of CLEARWATER KS for Authority for a Certificate of Public Service.</i> USDOT #3313050 LUIS AVILA of CLEARWATER KS - Order Granting Application for Certificate of Public Service	
20190827084844	<i>In the Matter of the Application of SAVANNAH TRADERS LLC of OVERLAND PARK KS for the Abandonment of Certificate of Public Service.</i> USDOT #2551471 SAVANNAH TRADERS LLC of OVERLAND PARK KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190827094202	<i>In the Matter of the Application of RANGLES TRUCKING LLC of SUBLETTE KS for Authority for a Certificate of Public Service.</i> USDOT #3315517 RANGLES TRUCKING LLC of SUBLETTE KS - Order Granting Application for Certificate of Public Service	
20190827132659	<i>In the Matter of the Application of JIMMIE ROGERS INC of LIBERAL KS for the Abandonment of Certificate of Public Service.</i> USDOT #147592 JIMMIE ROGERS INC of LIBERAL KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190827151810	<i>In the Matter of the Application of WHEATLAND TRUCKING LLC of HAYS KS for the Abandonment of Certificate of Public Service.</i> USDOT #2933903 WHEATLAND TRUCKING LLC of HAYS KS - Order Granting Request for Abandonment for Certificate of Public Service	
20190829134340	<i>In the Matter of the Application of VICTOR MANUEL MALDONADO of ULYSSES KS for Authority for a Certificate of Public Service.</i> USDOT #3309771 VICTOR MANUEL MALDONADO of ULYSSES KS - Order Granting Application for Certificate of Public Service	
20190829141318	<i>In the Matter of the Application of DEAN JOSEPH MILLERSHASKI of INGALLS KS for Authority for a Certificate of Public Service.</i> USDOT #3289058 DEAN JOSEPH MILLERSHASKI of INGALLS KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
20-TRAM-5014-TRA**

Total # of Orders:

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End of Report