

**Kansas Corporation Commission**  
**Commission Meeting**  
**September 26, 2019**  
10:01 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 September 26, 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 September 26, 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. 13-GBEE-803-MIS**

*In the Matter of the Application of Grain Belt Express Clean Line LLC for a Siting Permit for the Construction of a High Voltage Direct Current Transmission Line in Ford, Hodgeman, Edwards, Pawnee, Barton, Russell, Osborne, Mitchell, Cloud, Washington, Marshall, Nemaha, Brown, and Doniphan Counties Pursuant to K.S.A. 66-1,177, et seq.*

Commissioner Albrecht moved for approval of order # 19-1609 – Order on Joint Motion to Replace Sunset Provision. Commissioner Duffy seconded the motion.

The motion was approved.

- B. **Docket No. 20-800C-063-KSF**

*In the Matter of the Audit of 800 Response Information Service LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 2017 Supp. 66-2010(b) for KUSF Operating Year 22, Fiscal Year March 2018-February 2019.*

Commissioner Albrecht moved for approval of order # 19-1608 – Order on Petition for Reconsideration. Commissioner Duffy seconded the motion.

The motion was approved.

C. **Docket No. 19-GIMT-399-GIT**

*In the Matter of Certification of Compliance with Section 254(e) of the Federal Telecommunications Act of 1996 and Certification of Appropriate Use of Kansas Universal Service Fund Support.*

Commissioner Albrecht moved for approval of order #19-1616 – Order Directing Staff to Submit Letters to the FCC and the USAC; Penalizing Five Companies for Late Filings; Directing Staff to File R&R Regarding Additional Penalties. Commissioner Duffy seconded the motion.

The motion was approved.

D. **Docket No. 20-DTRW-120-SHO**

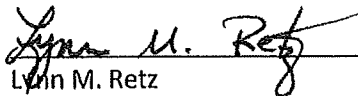
*In the Matter of Delmer Towns d.b.a. Towns Riverview to Show Cause Whether it Should Not be Required to Obtain a Certificate of Convenience and Necessity to Operate as a Potable Water Public Utility.*

Commissioner Albrecht moved for approval of order #19-1595 – Order to Show Cause. Commissioner Duffy seconded the motion.

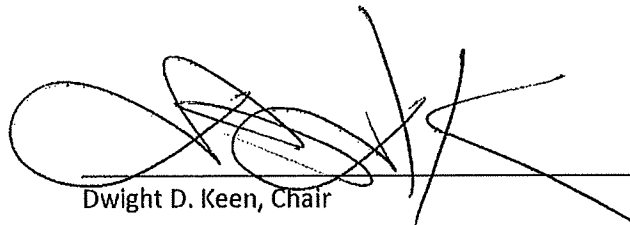
The motion was approved.

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 September 26, 2019 Commission Meeting at 10:17 a.m.

Respectfully submitted,



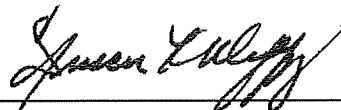
Lynn M. Retz  
Executive Director



Dwight D. Keen, Chair



Shari Feist Albrecht, Commissioner



Susan K. Duffy, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, September 26, 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

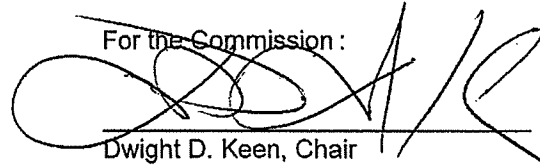
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the matter of the failure of Oil Producers, Inc. of Kansas ("Operator") to comply with K.A.R. 82-3-111 at the Liggett #1-32 Kiowa, Kansas. <b><i>Penalty Order - Oil Producers, Inc. of Kansas</i></b>	20-CONS-3091-CPEN	
2	In the Matter of An Investigation 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. <b><i>Order Approving Traffic Factors for Nex-Tech Wireless, LLC</i></b>	19-GIMT-056-GIT	
3	In the Matter of the Application and Request of United Telephone Association, Inc. for an Increase in its Cost-Based Kansas Universal Service Fund Support. <b><i>Order Adopting Joint Procedural Schedule</i></b>	20-UTAT-032-KSF	
4	In the Matter of the Petition of Wamego Telecommunications Company, Inc. for an Order Modifying the Boundary of its Wamego Local Exchange Area. <b><i>Order Assessing Costs</i></b>	20-WTCT-139-CXB	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Emergency Suspension of Operating Authority of Mikayla Evans, d/b/a JMS Global Enterprises of Kansas City, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. <b>Order Reinstating Intrastate Motor Carrier Operations</b>	20-TRAM-101-OOS	
6	In the Matter of the Investigation of Wesco Feed Transport Inc., of Norton, 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. <b>Penalty Order</b>	20-TRAM-134-PEN	
7	In the Matter of the Investigation of BMB Freight Solutions, Inc., d/b/a Airgroup Express of Wichita, 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. <b>Penalty Order</b>	20-TRAM-135-PEN	
8	In the Matter of the Investigation of David Milner, d/b/a Milner Hay & Cattle of Welda, 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. <b>Penalty Order</b>	20-TRAM-138-PEN	
9	Transportation orders to be approved by the Commission on the Consent Agenda. <b>Transportation Economic Orders</b>	20-TRAM-5020-TRA	

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

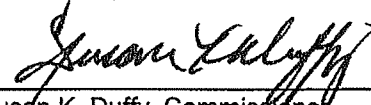
For the Commission:



Dwight D. Keen, Chair

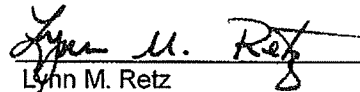


Shari Feist Albrecht, Commissioner



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-5020-TRA

Order Number	Description	Removed
20190919165344	<i>In the Matter of the Application of THREE T FARMING LLC of LEWIS KS for Authority for a Certificate of Public Service.</i> USDOT #3287743 THREE T FARMING LLC of LEWIS KS - Order Granting Application for Certificate of Public Service	
20190919165406	<i>In the Matter of the Application of VICTORY TRUCKING LLC of CHERRYVALE KS for Authority for a Certificate of Public Service.</i> USDOT #2827328 VICTORY TRUCKING LLC of CHERRYVALE KS - Order Granting Application for Certificate of Public Service	
20190923114526	<i>In the Matter of the Application of RESCUE TRANSPORT LLC of TOPEKA KS for the Abandonment of Certificate of Public Service.</i> USDOT #3244827 RESCUE TRANSPORT LLC of TOPEKA KS - Order Granting Request for Abandonment for Certificate of Public Service	

Total # of Orders: 3

End of Report