Kansas Corporation Commission
Commission Meeting
July 21, 2020
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 July 21, 2020, in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda**: Commissioner French moved for approval of the Items on the Consent Agenda dated July 21, 2020, containing pages one through four and are attached to these Minutes. Commissioner Keen seconded the motion.

   The motion was approved.

2. **Noticed Item:**

A. **Docket No. 21-CONS-3016-CMSC**
In the matter of a Compliance Agreement between Jim Snyder, Inc. (Operator) and Commission Staff regarding bringing 19 wells into compliance with K.A.R. 82-3-111.

Commissioner Keen moved for approval of order # 20-1275 - Order Approving Compliance Agreement. Commissioner French seconded the motion.

The order is approved.

B. **Docket No. 21-CONS-3017-CMSC**
In the matter of a Compliance Agreement between Running Foxes Petroleum, Inc. (Operator) and Commission Staff regarding bringing 27 wells into compliance with K.A.R. 82-3-111.

Commissioner Keen moved for approval of order # 20-1276 - Order Approving Compliance Agreement. Commissioner French seconded the motion.

The order is approved.

3. **Other Matters:**

Chair Duffy moved to meet in Executive Session for a period of 30 minutes in the Commissioners' Conference Room to discuss personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved. Also called into the Executive Session was Lynn Retz, Executive Director. Commissioner Keen seconded the motion. Chair Duffy stated the Commission would reconvene in the 1st Floor Hearing Room at 10:55 a.m., allowing an extra 5 minutes from the conference room to the hearing room. The motion was approved.

The Commission moved into Executive Session at 10:20 a.m. and reconvened in Public session at 10:55 a.m.

The Commission took no action subsequent to the Executive Session.

There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Commissioner Keen seconded the motion. The motion was approved. The Commission adjourned the July 21, 2020, Commission Meeting at 11:01 a.m.

Respectfully submitted,

Lynn M. Retz, Executive Director

Susan K. Duffy, Chair

Andrew J. French, Commissioner

Dwight D. Keen, Commissioner

Kansas
Corporation Commission

ITEMS OF
Consent Agenda

Approval Date: Tuesday, July 21, 2020

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 seperately 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 Sam W. Mays Jr. LLC dba Mays Oil LLC (Operator) to report activity that occurred during the 2019 calendar year in compliance with K.A.R. 82 3 409. ***Order Designating Presiding Officer and Setting Prehearing Conference***	20-CONS-3326-CPEN	
2	In the matter of the application of Merit Energy Company, LLC, for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Israel A-11 well in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 4, Township 32 South, Range 39 West, Morton County, Kansas. ***Order Granting Application***	20-CONS-3281-CEXC	
3	In the matter of the application of Merit Energy Company for an exception to K.A.R. 82-3-203 and for a special allowable to the Carrie 15-1 Well in the Northeast Quarter of Section 15, Township 23 South, Range 35 West, Kearny County, Kansas. ***Order Granting Application***	20-CONS-3292-CEXC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the matter of the failure of Delaware Energy Corporation (Operator) to comply with K.A.R. 82-3-117 at the Oak #1 well in Kingman County, Kansas. ***Penalty Order - Delaware Energy Corporation***	21-CONS-3015-CPEN	
5	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 Approving Atmos' True Up to its Tax Reform Credit Tariff***	18-GIMX-248-GIV	
6	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. ***Order Accepting GVNW'S KUSF Proposed Revisions to Selection Criteria and Carrier Review Procedures***	19-GIMT-056-GIT	
7	In the Matter of ONEOK North System, LLC Filing K.C.C. No. 4.11, Containing Rate Increases ***Order Approving Tariff Revisions***	20-ONSP-495-TAR	
8	In the Matter of the Application of Plains Pipeline, L.P.'s for Approval, Pursuant to K.A.R. 82-10-2, of Tariff K.C.C. No. 5.16.0 ***Order Approving Tariff Revisions***	20-PPLP-497-TAR	
9	In the Matter of the Application of Grain Belt Express Clean Line LLC Changing its Name to Grain Belt Express LLC. ***Order Approving Notice of Name Change***	20-GBEE-501-CCN	Duplicate of order approved 7/16/20
10	In the Matter of the Application of The Empire District Electric Company a Liberty Utilities Company for the Annual Transmission Delivery Charge (TDC) Rider. ***Order Granting CURB's Petition to Intervene, Discovery Order, and Protective Order***	20-EPDE-526-TAR	
11	In the Matter of Consolidated Communications of Missouri Co. Filing Tariff Revisions to its General Exchange Tariff No. 1 ***Order Approving Tariff Revisions***	21-FCMT-007-TAR	
12	In the Matter of Consolidated Communications of Kansas Company Filing Tariff Revisions to its Small Business Bundles ***Order Approving Tariff Revisions***	21-SFLT-008-TAR	
13	In the Matter of Consolidated Communications of Kansas Company FilingTariff Revisions to Bill Payment Options/Convenience Fee ***Order Approving Tariff Revisions***	21-SFLT-009-TAR	
14	In the Matter of the Application of The Empire District Electric Company for Temporary Waiver of Meter-Testing Requirements and Approval of Tariffs to Enable the Deployment of Advanced Metering Infrastructure for Electric Customers ***Order Granting CURB Intervention and Protective and Discovery Orders***	21-EPDE-015-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Application of The Empire District Electric Company for Temporary Waiver of Meter-Testing Requirements and Approval of Tariffs to Enable the Deployment of Advanced Metering Infrastructure for Electric Customers ***Suspension Order***	21-EPDE-015-TAR	
16	In the Matter of the Application of Wisper ISP, Inc. For a Name Change on its Certificate of Convenience and Authority to Provide Local Exchange and Exchange Access Services ***Order Assessing Costs***	21-WIIZ-019-CCN	
17	In the Matter of a General investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with KS.A. 66-2005(e) and Federal Communications Commission Reforms. ***Order Opening Docket; Requiring Compliance Filings; Establishing Procedural Schedule***	21-GIMT-021-GIT	
18	In the Matter of a General investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with KS.A. 66-2005(e) and Federal Communications Commission Reforms. ***Order Assessing Costs***	21-GIMT-021-GIT	
19	In the Matter of the Application of Southern Kansas Telephone Filing Tariff Revisions to Discount Bundles Changes ***Order Assessing Costs***	21-SNKT-023-TAR	
20	In the Matter of Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. Seeking Commission Approval for Tariff Revisions to its Energy Efficiency Rider. ***Order Assessing Costs***	21-EKCE-025-TAR	
21	In the Matter of Black Hills Filing its Compliance Quarterly AAO Reports ***Order Assessing Costs***	21-BHCG-026-CPL	
22	In the Matter of the Emergency Suspension of Operating Authority of Atlas & Goliath Industries, Inc., d/b/a Goliath Tech Kansas City of Leawood, 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-517-OOS	
23	In the Matter of the Investigation of Ryan Adam Stephens, d/b/a Rocking R Trucking of Moran, 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***	21-TRAM-020-PEN	
24	In the Matter of the Investigation of Anderson Equipment LLC of Clay Center, 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***	21-TRAM-022-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	21-TRAM-5004-TRA	

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

For the Commission :

Susan K. Duffy, Chair

Dwight D. Keen, Commissioner

Andrew J. French, Commissioner

Attest:
Lynn M. Retz
Executive Director

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Susan K. Duffy, Chair
Dwight D. Keen, Commissioner
Andrew J. French, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number
21-TRAM-5004-TRA

Order Number	Description	Removed
20200714104347	*In the Matter of the Application of ALLAN OTT WELDING INC of EUDORA KS for a Private Carrier Permit.* USDOT #1569480 ALLAN OTT WELDING INC of EUDORA KS - Order Granting Application for a Private Carrier Permit	
20200714131958	*In the Matter of the Application of KNOX TRANSPORT LLC of TOPEKA KS for Authority for a Certificate of Public Service.* USDOT #3379853 KNOX TRANSPORT LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	
20200714153433	*In the Matter of the Application of BRC TRANSPORT LLC of WICHITA KS for Authority for a Certificate of Public Service.* USDOT #3344777 BRC TRANSPORT LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20200715082833	*In the Matter of the Application of HECTOR ALCALA GARCIA AND FREDDIE ALCALA GARCIA of SPEARVILLE KS for Authority for a Certificate of Public Service.* USDOT #3438874 HECTOR ALCALA GARCIA AND FREDDIE ALCALA GARCIA of SPEARVILLE KS - Order Granting Application for Certificate of Public Service	
20200715082959	*In the Matter of the Application of ELITE TOWING LLC of TOPEKA KS for Authority for a Certificate of Convenience and Necessity.* USDOT #3451717 ELITE TOWING LLC of TOPEKA KS - Order Granting Application for Certificate of Convenience and Necessity	
20200715083027	*In the Matter of the Application of ELITE TOWING LLC of TOPEKA KS for a Private Carrier Permit.* USDOT #3451717 ELITE TOWING LLC of TOPEKA KS - Order Granting Application for a Private Carrier Permit	
20200715083035	*In the Matter of the Application of ELITE TOWING LLC of TOPEKA KS for Authority for a Certificate of Public Service.* USDOT #3451717 ELITE TOWING LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	

Transportation Orders By Docket Number
21-TRAM-5004-TRA

Order Number	Description	Removed
20200715084023	*In the Matter of the Application of STEVER TRUCKING LLC of ELKHART KS for Authority for a Certificate of Public Service.* USDOT #3438511 STEVER TRUCKING LLC of ELKHART KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 8

End of Report