

Kansas Corporation Commission
Commission Meeting
July 28, 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 28, 2020, in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner Keen moved for approval of the Items on the Consent Agenda dated July 28, 2020, containing pages one through four and are attached to these Minutes. Chair Duffy seconded the motion.

The motion was approved.

2. **Noticed Item:**

- A. **Docket No. 19-ATMG-307-TAR**

In the Matter of the Application of Atmos Energy for Approval of the Commission for Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204.

Commissioner Keen moved for approval of order # 20-1328 – Order Approving Tariff Revisions. Chair Duffy seconded the motion.

The order is approved.

- B. **Docket No. Docket No. 20-EPDE-526-TAR**

In the Matter of the Application of The Empire District Electric Company a Liberty Utilities Company for the Annual Transmission Delivery Charge (TDC) Rider.

Commissioner Keen moved for approval of order # 20-1321 – Order Acknowledging Effective Date of TDC Subject-to-Refund Pursuant to K.S.A. 66-1237. Chair Duffy seconded the motion.

The order is approved.

There being no further matters before the Commission, Commissioner Keen moved for adjournment of the Commission meeting. Chair Duffy seconded the motion. The motion was approved. The Commission adjourned the July 28, 2020, Commission Meeting at 10:05 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Susan K. Duffy, Chair

Absent

Andrew J. French, Commissioner



Dwight D. Keen, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, July 28, 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 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 Foundation Energy Management, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Stuart 21-10, Sharp 33-10, and Zwegardt 33-8 wells in Cheyenne County, Kansas. <i>Order Granting Application</i>	20-CONS-3184-CEXC	
2	In the matter of the application of Foundation Energy Management, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Stuart 23-10, Jensen 13-16, and Bahn-Maier 12-15 wells in Cheyenne County, Kansas. <i>Order Granting Application</i>	20-CONS-3185-CEXC	
3	In the matter of the failure of Jeff Crawford dba Jeff's Oilwell Supervision (Operator) to report activity that occurred during the 2019 calendar year in compliance with K.A.R. 82 3 409. <i>Order Granting Motion to Rescind Penalty Order</i>	20-CONS-3305-CPEN	
4	In the matter of the failure of Gus & Annie Myers (Operator) to report activity that occurred during the 2019 calendar year in compliance with K.A.R. 82-3-409. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	20-CONS-3308-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the application of Edison Operating Company LLC for a permit to authorize the disposal of saltwater into the Pfister #2-6 well in Section 6, Township 21 South, Range 14 West, Stafford County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	21-CONS-3018-CUIC	
6	In the matter of the failure of Oil Producers, Inc. of Kansas (Operator) to comply with K.A.R. 82 3 111 at the Stanley #2 and Daniels #1-25 in Seward and Haskell County, Kansas <i>Penalty Order - Oil Producers, Inc. of Kansas</i>	21-CONS-3020-CPEN	
7	In the matter of the failure of Roger M. Wheeler, Jr. dba Wheeler Oil Company (Operator) to comply with K.A.R. 82 3 111 at the Simmons #1-10 and Simmons #4-10 in Morton County, Kansas. <i>Penalty Order - Roger M. Wheeler, Jr. dba Wheeler Oil Company</i>	21-CONS-3021-CPEN	
8	In the matter of the failure of Wausau Development Corporation (Operator) to comply with K.A.R. 82-3-111 at the Suppes #22-3 in Scott County, Kansas. <i>Penalty Order - Wausau Development Corporation</i>	21-CONS-3022-CPEN	
9	In the matter of the failure of NPF Energy Corporation (Operator) to comply with K.A.R. 82-3-407 at the Keller Kay A #3 in Stafford County, Kansas. <i>Penalty Order - NPF Energy Corporation</i>	21-CONS-3023-CPEN	
10	In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Ironhorse Services, LLC. <i>Order Approving Amended Interconnection Agreement</i>	06-SWBT-1141-IAT	
11	In the Matter of a General Investigation into the Appropriateness of Certain Sections of the Kansas Corporation Commission's Electric and Natural Gas Billing Standards (Billing Standards) Related to On-Premises Collections. <i>Order Nunc Pro Tunc</i>	15-GIMX-344-GIV	
12	In the Matter of the Joint Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval to Make Certain Changes in their Charges for Electric Services. <i>Order Granting Intervention to Sunflower Electric Power Corporation</i>	18-WSEE-328-RTS	
13	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>Status Report Order and Penalty</i>	19-ICIT-179-SHO	
14	In the Matter of a General Investigation Regarding the Rate Study and Assessment Expenses Resulting from Substitute for Senate Bill No. 69. <i>Order Granting Intervention to Empire, KIC, and Climate & Energy Project</i>	20-GIME-068-GIE	

Consent Agenda

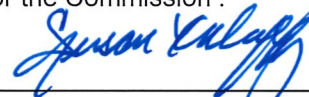
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Application of Jayhawk Pipeline LLC Revising Its Tariff Rates Based on the FERC Index for 2020 <i>Order Approving Tariff Revisions</i>	20-JYHP-491-TAR	
16	In the Matter of Consolidated Communications of Missouri Co. Filing Tariff Revisions to its General Exchange Tariff No. 1 <i>Order Nunc Pro Tunc</i>	21-FCMT-007-TAR	
17	In the Matter of Consolidated Communications of Kansas Company Filing Tariff Revisions to Bill Payment Options/Convenience Fee <i>Order Nunc Pro Tunc</i>	21-SFLT-009-TAR	
18	In the Matter of the Investigation of Southwestern Bell Telephone Company, d/b/a AT&T of Kansas of Dallas, Texas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	21-DPAX-031-PEN	
19	In the Matter of the Investigation of S&E Services LLC of Wichita, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	21-DPAX-032-PEN	
20	In the Matter of the Investigation of Aquarius-Greenbelt, Inc. of Maize, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	21-DPAX-033-PEN	
21	In the Matter of the Investigation of Quinonez Transport LLC of Garden 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. <i>Penalty Order</i>	21-TRAM-034-PEN	
22	In the Matter of the Investigation of Custom Neon and Vinyl Graphics, Inc. of Topeka, 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>	21-TRAM-035-PEN	
23	In the Matter of the Emergency Suspension of Operating Authority of AmericanAlliance, LLC 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. <i>Emergency Suspension of Operating Authority Order</i>	21-TRAM-036-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	21-TRAM-5005-TRA	

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

For the Commission :



Susan K. Duffy, Chair

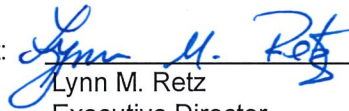


Dwight D. Keen, Commissioner

Absent

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-5005-TRA

Order Number	Description	Removed
20200720151455	<i>In the Matter of the Application of B&B GARAGE LLC of BASEHOR KS for Authority for a Certificate of Public Service.</i> USDOT #386827 B&B GARAGE LLC of BASEHOR KS - Order Granting Application for Certificate of Public Service	
20200721165416	<i>In the Matter of the Application of FIREWATER TRUCKING INC of GREAT BEND KS for Authority for a Certificate of Public Service.</i> USDOT #3444785 FIREWATER TRUCKING INC of GREAT BEND KS - Order Granting Application for Certificate of Public Service	
20200721222651	<i>In the Matter of the Application of ELITE TOWING LLC of TOPEKA KS for a Private Carrier Permit.</i> USDOT #3451717 ELITE TOWING LLC of TOPEKA KS - Order Granting Application for a Private Carrier Permit	
20200721222705	<i>In the Matter of the Application of ELITE TOWING LLC of TOPEKA KS for Authority for a Certificate of Public Service.</i> USDOT #3451717 ELITE TOWING LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 4

End of Report