Kansas Corporation Commission
Commission Meeting
July 30, 2020
11:00 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 11:00 a.m. on July 30, 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**: Chair Duffy noted that Item #12 – Docket No. 20-TRAM-370-PEN, was being passed over today. Commissioner Keen noted he has recused from Item #1 – Docket Nos. 20-CONS-3293-CPEN/20-CONS-3334-CPEN and Item #7 – Docket Nos. 19-CONS-3271-CPEN/19-CONS-3272-CPEN. Commissioner French moved for approval of the Items on the Consent Agenda dated July 30, 2020, with the exception of Item #12, 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. 20-EKME-514-GIE**
In the Matter of the Investigation into the Agreement Between Evergy and Elliott Management to Consider a Modified Standalone Plan or Merger Transaction.

Commissioner Keen moved for approval of order # 20-1331 – Order on Joint Motion for Revisions to Procedure for Docket. Commissioner French seconded the motion.

The order is approved.

B. **Docket No. 20-EKME-514-GIE**
In the Matter of the Investigation into the Agreement Between Evergy and Elliott Management to Consider a Modified Standalone Plan or Merger Transaction.

Commissioner French moved for approval of order # 20-1330 – Order Granting CURB's Petition to Intervene and Protective/Discovery Order. Commissioner Keen seconded the motion.

The order is approved.

3. **Discussion Item:**

Linda Berry, Director of KCC Public Affairs and Consumer Protection, provided a quarterly update to the Commission regarding an overview of PACP activities for fiscal year 2020.

4. **Other Matters:**

Chair Duffy moved to meet in Executive Session for a period of 60 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 French seconded the motion. Chair Duffy stated the Commission would reconvene in the 1st Floor Hearing Room at 12:35 p.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 11:31 a.m. and reconvened in Public session at 12:35 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. Chair Duffy seconded the motion. The motion was approved. The Commission adjourned the July 30, 2020, Commission Meeting at 12:36 p.m.

Respectfully submitted,

Lynn M. Retz, Executive Director

Susan K. Duffy, Chair

Andrew J. French, Commissioner

Dwight D. Keen, Commissioner

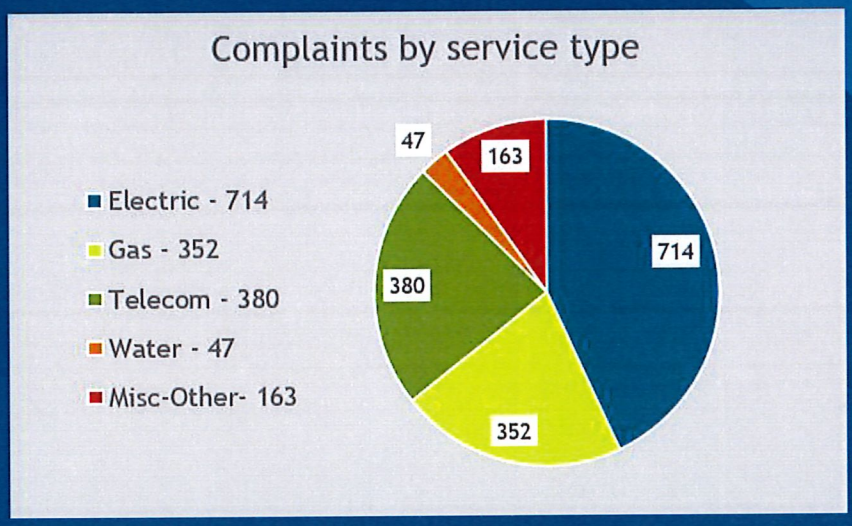
Public Affairs and Consumer Protection

FY2020 Report

FY2020 Overview

- Complaints received – 1656
  - Busiest month – October
  - Slowest month – April (not typical)
  - Received by phone, email and website submission
- Dollars saved for consumers – $141,738
  - Dollars disputed – $137,308
- 81% of complaints were resolved in 1 day
- 92% of complaints were resolved in less than 5 days
- Complaints were received from all areas of the state
  - Highest volumes – Sedgwick, Johnson, Shawnee, Wyandotte

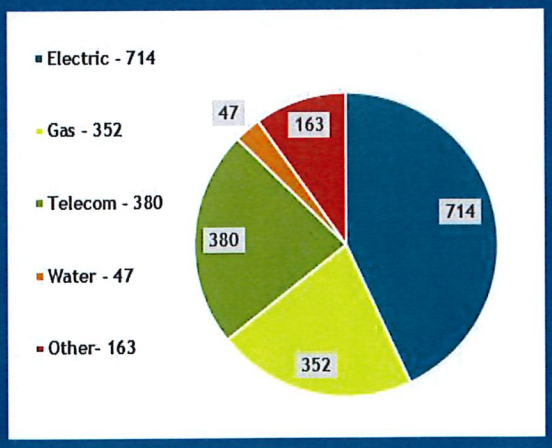
FY2020 Complaints



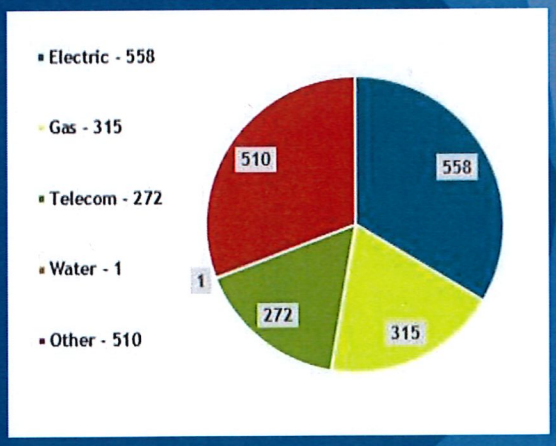
*Note: Non-jurisdictional complaints are included in each category to show areas of consumer concerns.

FY2020 Complaints

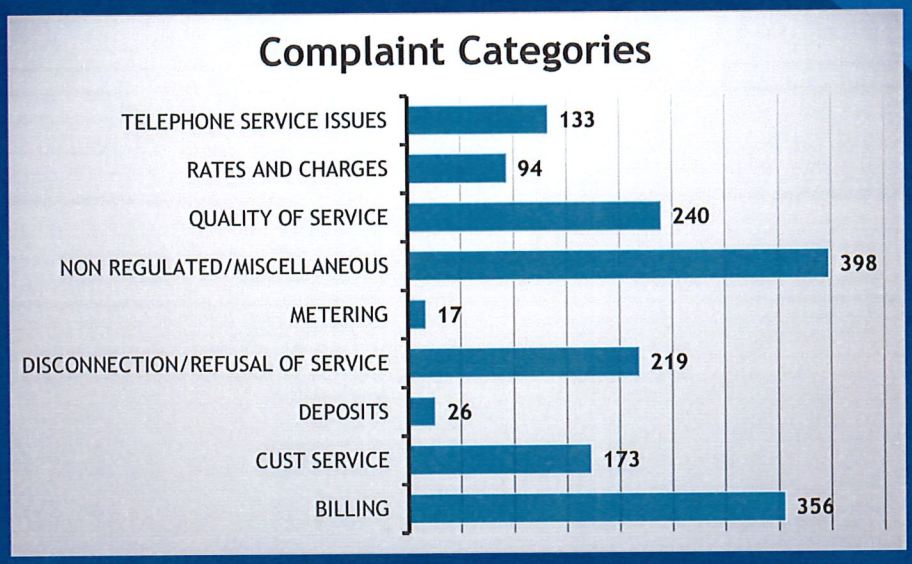
Total by Service Type



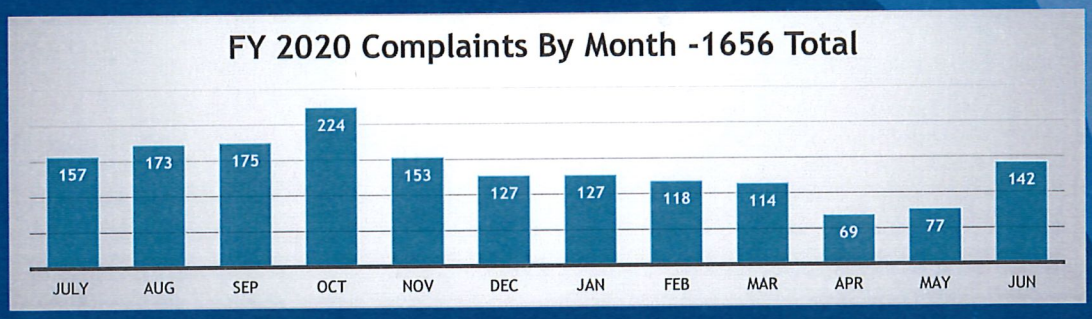
Total by Jurisdiction



FY 2020 Complaint Overview



Complaint Volume by Month



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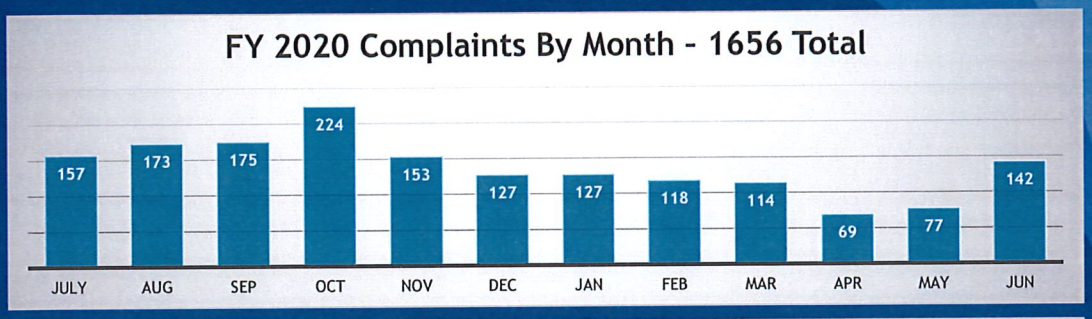
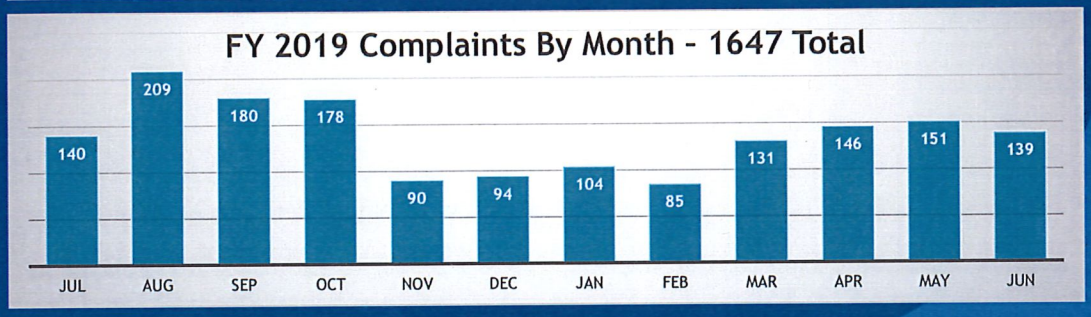
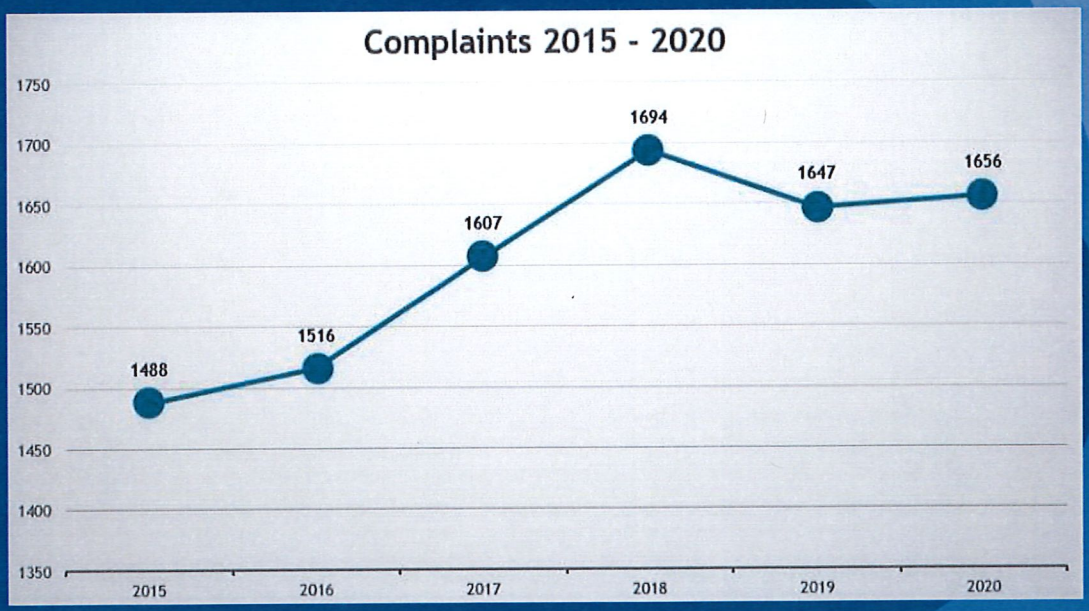




Trends



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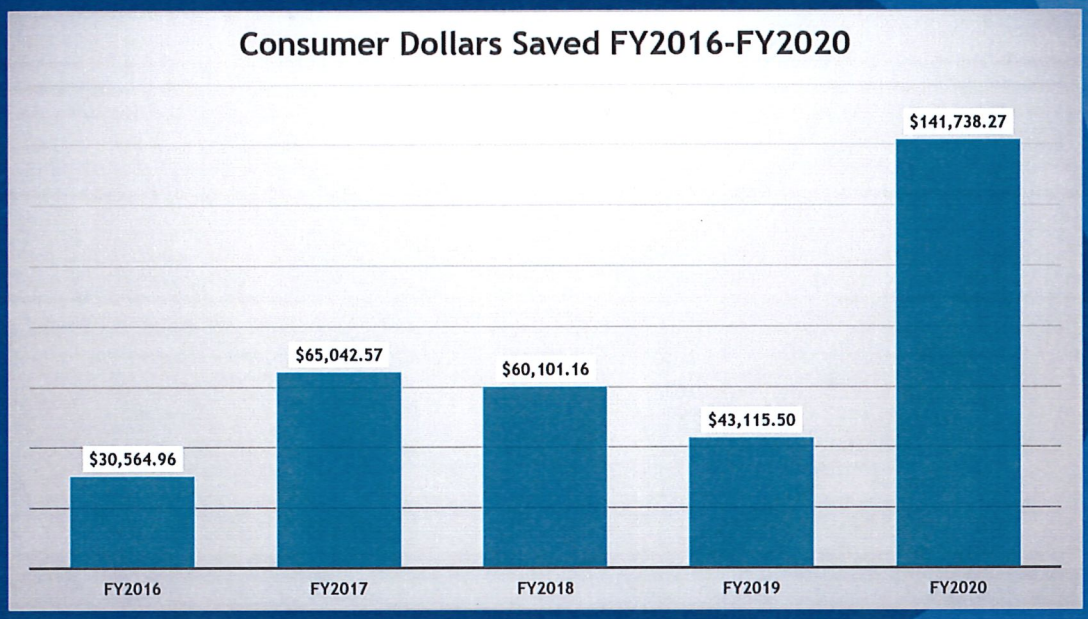

Kansas
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ITEMS OF
Consent Agenda

Approval Date: Thursday, July 30, 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 Quito, Inc. (Operator) to comply with K.A.R. 82-3-104 at the Tom Appleby #5 in Chautauqua County, Kansas. ***Order Designating Presiding Officer and Setting Prehearing Conference***	20-CONS-3293-CPEN	Keen Recused
1	In the matter of the failure of Quito, Inc. (Operator) to comply with K.A.R. 82-3-104 at the McFarland-Delong #11 in Chautauqua County, Kansas. ***Order Designating Presiding Officer and Setting Prehearing Conference***	20-CONS-3334-CPEN	
2	In the Matter of the Complaint Against Westar Energy by Elvis J. Grubbs ***Order Directing Staff to File Additional Information***	19-WSEE-410-COM	
3	In the Matter of the Application of Evergy Kansas Central, Inc. for Authority to Cease Transacting the Business of an Electric Public Utility Specifically, in Section 21, Township 07 South, Range 09 East in Pottawatomie County, Kansas ***Order Granting Application***	20-EKCE-353-CCS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application Bluestem Electric Cooperative, Inc. for a Certificate of Convenience and Authority to Transact the Business of a Public Utility in the State of Kansas. A Portion of Section 21, Township 07 South, Range 09 East, in Pottawatomie County, Kansas. ***Order and Certificate***	20-BECE-465-COC	
5	In the Matter of Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. Seeking Commission Approval for Tariff Revisions to its Energy Efficiency Rider. ***Suspension Order***	21-EKCE-025-TAR	
6	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 Granting CURB Intervention, Protective and Discovery Order***	21-EKCE-025-TAR	
7 7	In the matter of the failure of Quito, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Solomon #3 and Solomon #5 in Chautauqua County, Kansas. ***Order Designating Presiding Officer and Setting Prehearing Conference*** In the matter of the failure of Quito, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Doty #3 in Chautauqua County, Kansas. ***Order Designating Presiding Officer and Setting Prehearing Conference***	19-CONS-3271-CPEN 19-CONS-3272-CPEN	Keen Recused
8	In the matter of the failure of Great Plains Petroleum, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Adams #1-16 in Meade County, Kansas. ***Default Order***	20-CONS-3279-CPEN	
9	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. ***Order Granting Intervention to Climate and Energy Project***	18-WSEE-328-RTS	
10	In the matter of the failure of Arcadian Resources, LLC (Operator) to comply with K.A.R. 82-3-111 at the Bateman #1 in Scott County, Kansas. ***Penalty Order - Arcadian Resources, LLC***	21-CONS-3027-CPEN	
11	In the Matter of the Application of Southern Kansas Telephone Filing Tariff Revisions to Discount Bundles Changes ***Order Approving Tariff Revisions***	21-SNKT-023-TAR	
12	In the Matter of the Investigation of Scott Construction Co., Inc. of Ottawa, 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. ***Order Suspending Intrastate Motor Carrier Operations***	20-TRAM-370-PEN	✓

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Arch Design Builders LLC of Overland Park, 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. ***Order Approving Unanimous Settlement Agreement***	20-TRAM-376-PEN	
14	In the Matter of the Investigation of Thomas Hammer, d/b/a/ H & H Trucking of Iola, 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-039-PEN	
15	In the Matter of the Investigation of Jose Manuel Lopez-Valdez, d/b/a LR Trucking 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. ***Penalty Order***	21-TRAM-040-PEN	
16	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	21-TRAM-5006-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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Topeka, KS 66604-4027

Kansas
Corporation Commission

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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-5006-TRA

Order Number	Description	Removed
20200727090521	*In the Matter of the Application of STAPEL EARTHWORKS LLC of PHILLIPSBURG KS for Authority for a Certificate o Public Service.* USDOT #3443266 STAPEL EARTHWORKS LLC of PHILLIPSBURG KS - Order Granting Application for Certificate of Public Service	
20200727092150	*In the Matter of the Application of MIDWEST DRIVE AWAY LLC of KANSAS CITY KS for Authority for a Certificate of Public Service.* USDOT #3414309 MIDWEST DRIVE AWAY LLC of KANSAS CITY KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 2

End of Report