Kansas Corporation Commission
Commission Meeting
August 18, 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 August 18, 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 August 18, 2020, containing pages one through six which are attached to these Minutes. Commissioner Keen seconded the motion.

   The motion was approved.

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 August 18, 2020, Commission Meeting at 10:02 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, August 18, 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 application of Merit Energy Company, LLC, for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Stonestreet A 3 well in the South Half of the North Half of Section 10, Township 28 South, Range 34 West, Haskell County, Kansas. ***Order Granting Application***	20-CONS-3328-CEXC	
2	In the Matter of the Application of The Empire District Electric Company for Approval of the Commission to Make Certain Changes in its Charges for Electric Service ***Order Partially Granting Motion for Approval of New Filing Dates***	19-EPDE-223-RTS	
3	In the Matter of the Audit of Cox Kansas Telcom 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. ***Order Adopting Audit Report and Compliance Report***	20-COXT-052-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of a General Investigation into Interconnection, Porting, Evolving Technology, and the Impacts on Consumer Choices in Kansas. ***Order Designating Presiding Officer***	20-GIMT-387-GIT	
5	In the Matter of a General Investigation into Interconnection, Porting, Evolving Technology, and the Impacts on Consumer Choices in Kansas. ***Order Denying RLECS' Motion to Strike***	20-GIMT-387-GIT	
6	In the Matter of a General Investigation into Interconnection, Porting, Evolving Technology, and the Impacts on Consumer Choices in Kansas. ***Order Granting Motion for Leave to Amend***	20-GIMT-387-GIT	
7	In the Matter of United Telephone of Kansas dba CenturyLink Filing Tariff Revisions to Standardize Prorations. ***Order Granting Withdrawal and Closing Docket***	20-UTDT-521-TAR	
8	In the Matter of the Joint Application of Sunflower and Southern Pioneer for the Approval of an Updated 34.5 kV Loss Factor in the Local Access Delivery Service Tariff. ***Order Granting KEPCo's Petition to Intervene***	21-SEPE-047-TAR	
9	In the Matter of the Joint Application of Sunflower and Southern Pioneer for the Approval of an Updated 34.5 kV Loss Factor in the Local Access Delivery Service Tariff. ***Order Granting Intervention to KMEA and Starnes Admission Pro Hac Vice***	21-SEPE-047-TAR	
10	In the Matter of the Joint Application of Sunflower Electric Power Corporation, Prairie Land Electric Cooperative, Inc., The Victory Electric Cooperative Association, Inc., and Western Cooperative Electric Association, Inc., for Approval of Continuation of 34.5 kV Formula-Based Rates and Updated 34.5 kV Loss Factors ***Order Granting Intervention to KMEA and Admission to Starnes Pro Hac Vice***	21-SEPE-049-TAR	
11	In the Matter of the Application of Evergy Metro, Inc., Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. for Adjustment of Base Rates to Comply with HB No. 2585 ***Order Granting CURB's Petition to Intervene and Motion for Protective and Discovery Order***	21-EKME-050-RTS	
12	In the Matter of the Application of Evergy Metro, Inc., Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. for Adjustment of Base Rates to Comply with HB No. 2585 ***Order Adopting Procedural Schedule and Designating Presiding Officer***	21-EKME-050-RTS	
13	In the Matter of Stellar Private Cable Systems, Inc. Addressing the FY 23 and the FY 24 Penalty ***Order Granting Withdrawl and Closing Docket***	21-SPCV-055-KSF	

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ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Audit of Sprint Spectrum by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A 2015 Supp. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020 ***Order to KUSF Administrator to Commence Audit***	21-SSLZ-056-KSF	
15	In the Matter of the Audit of New Cingular Wireless PCS, LLC d/b/a AT&T Mobility by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-WSLC-057-KSF	
16	In the Matter of the Audit of United Telephone of Kansas by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator***	21-UTDT-058-KSF	
17	In the Matter of the Audit of CenturyLink Communications, LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-QWCT-059-KSF	
18	In the Matter of the Audit of Nex-Tech LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KSUF Administrator to Commence Audit***	21-NTHT-060-KSF	
19	In the Matter of the Audit of Nex-Tech Wireless LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator***	21-NTWZ-061-KSF	
20	In the Matter of the Audit of Consumer Cellular Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-CSCZ-062-KSF	
21	In the Matter of the Audit of Spectrum Advanced Service LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-SASV-063-KSF	
22	In the Matter of the Audit of Mitel Cloud Services Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-ITNC-064-KSF	
23	In the Matter of the Audit of Sprint Communications Company LP by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KSUF Administrator to Commence Audit***	21-SCCC-065-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the Matter of the Audit of Telrite Corporation by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-RITC-066-KSF	
25	In the Matter of the Audit of Ring Central Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KSUF Administrator to Commence Audit***	21-RGCV-067-KSF	
26	In the Matter of the Audit of Time Warner Cable Business LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-TWBC-068-KSF	
27	In the Matter of the Audit of Tru Mobility, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator to Commence Audit***	21-TMIV-069-KSF	
28	In the Matter of the Audit of Jive Communications, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KSUF Administrator to Commence Audit***	21-JVCV-070-KSF	
29	In the Matter of the Audit of Total Holdings Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. ***Order to KUSF Administrator***	21-THIC-071-KSF	
30	In the Matter of The Empire District Electric Company Filing Compliance Reports and Information as Prescribed by Commission Order Dated July 9, 2020, in Docket No. 20-EPDE-427-ACT ***Order Granting CURB Petition to Intervene***	21-EPDE-072-CPL	
31	In the Matter of the Investigation of Black Hills Energy Corporation 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). ***Penalty Order***	21-DPAX-027-PEN	
32	In the Matter of the Emergency Suspension of Operating Authority of JC Deliveries LLC of Leavenworth, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. ***Emergency Suspension of Operating Authority Order***	21-TRAM-074-OOS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
33	In the Matter of the Emergency Suspension of Operating Authority of Any Top Shop LLC 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. ***Emergency Suspension of Operating Authority Order***	21-TRAM-075-OOS	
34	In the Matter of the Emergency Suspension of Operating Authority of JM Concrete Solutions LLC of Overland Park, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. ***Emergency Suspension of Operating Authority Order***	21-TRAM-076-OOS	
35	In the Matter of the Investigation of Xplosive Solutions LLC of Lehigh, 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-077-PEN	
36	In the Matter of the Investigation of Sodicco Transport LLC of Abilene, 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-078-PEN	
37	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	21-TRAM-5011-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-5011-TRA

Order Number	Description	Removed
20200812085714	*In the Matter of the Application of HOME FACTORIES INC of GALT CA for a Private Carrier Permit.* USDOT #2941177 HOME FACTORIES INC of GALT CA - Order Granting Application for a Private Carrier Permit	
20200812101619	*In the Matter of the Application of NATURES IMAGE AQUATIC DESIGN LLC of TOPEKA KS for a Private Carrier Permit.* USDOT #3436805 NATURES IMAGE AQUATIC DESIGN LLC of TOPEKA KS - Order Granting Application for a Private Carrier Permit	
20200813130800	*In the Matter of the Application of G2 TRANSPORT LLC of WICHITA KS for Authority for a Certificate of Public Service.* USDOT #3280140 G2 TRANSPORT LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20200813130802	*In the Matter of the Application of G2 TRANSPORT LLC of WICHITA KS for a Private Carrier Permit.* USDOT #3280140 G2 TRANSPORT LLC of WICHITA KS - Order Granting Application for a Private Carrier Permit	
20200813155019	*In the Matter of the Application of EBABEN TRANSPORTATION LLC of PAOLA KS for Authority for a Certificate of Public Service.* USDOT #3454404 EBABEN TRANSPORTATION LLC of PAOLA KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 5

End of Report