

Kansas Corporation Commission
Commission Meeting
September 24, 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 September 24, 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 Keen moved for approval of the Items on the Consent Agenda dated September 24, 2020, containing pages one through two and are attached to these Minutes. Commissioner French seconded the motion.

The motion was approved.

2. **Noticed Item:**

- A. **Docket No. 19-WSEE-410-COM**

In the Matter of the Complaint Against Westar Energy by Elvis J. Grubbs.

Commissioner French moved for approval of order # 20-1679 – Order on Petition for Reconsideration. Commissioner Keen seconded the motion.

The order is approved.

- B. **Docket No. 20-UNTV-525-SHO**

In the Matter of a General Investigation for Unitel Voice, LLC to Show Cause Why this Commission Should Not Initiate Sanctions and Fines for Non-Compliance with Kansas Statutes and Commission Orders.

Commissioner Keen moved for approval of order # 20-1684 - Order. Commissioner French seconded the motion.

The order is approved.

C. **Docket No. 20-GIMT-415-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 French moved for approval of order # 20-1688 - Order Directing Staff to Submit letters to the FCC and USAC; Penalizing Four Companies for Late Filings. Commissioner Keen seconded the motion.

The order is approved.

D. **Docket No. 21-TRAM-038-PEN**

In the Matter of the Investigation of Stephens Cattle LLC of Grinnell, 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.

Commissioner French moved for approval of order 20-1690 – Penalty Order. Commissioner Keen seconded the motion.

The order is 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 September 24, 2020, Commission Meeting at 10:22 a.m.

Respectfully submitted,


Lynn M. Retz, Executive Director


Susan K. Duffy, Chair


Andrew J. French, Commissioner


Dwight D. Keen, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, September 24, 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 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 Granting Atmos' Motion to be Added to Pilot Program</i> | 15-GIMX-344-GIV | |
| 2 | Rainbow Communications, LLC Application for Designation as an Eligible Telecommunications Carrier for Federal and State Lifeline Purposes <i>Order Granting Lifeline-Only ETC Designation For Federal and State Purposes</i> | 20-RCOT-515-ETC | |
| 3 | In the Matter of the Investigation into the Sustainability Transformation Plan of Evergy Metro, Inc., Evergy Kansas Central, Inc. and Evergy South, Inc. (collectively, Evergy). <i>Order Granting Intervention to Natural Resource Defense Council, Climate and Energy Project, and Sierra Club</i> | 21-EKME-088-GIE | |
| 4 | In the Matter of the Application of Kansas Gas Service, a Division of One Gas, Inc., for an Administrative Update to their Tariff <i>Order Granting CURB'S Petition To Intervene, Discovery Order and Protective Order</i> | 21-KGSG-114-TAR | |

Consent Agenda

| ITEM NO. | DESCRIPTION | DOCKET NUMBER | REMOVED |
|----------|---|------------------|---------|
| 5 | In the Matter of the Investigation of Fullmer Auto Company Texas, LLC, d/b/a Fullmer Cattle Co. of Syracuse, 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>Order Approving Unanimous Settlement Agreement</i> | 20-TRAM-369-PEN | |
| 6 | In the Matter of the Investigation of Zackery Mahaffey, d/b/a ZW Hauling of Neodesha, 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-110-PEN | |
| 7 | Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i> | 21-TRAM-5021-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-5021-TRA**

| Order Number | Description | Removed |
|----------------|--|---------|
| 20200921085035 | <i>In the Matter of the Application of THOMAS LEON HERTEL of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3454728 THOMAS LEON HERTEL of DODGE CITY KS - Order Granting Application for Certificate of Public Service | |
| 20200921125412 | <i>In the Matter of the Application of DEVIN DEAN ELLIS of SCOTT CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3468972 DEVIN DEAN ELLIS of SCOTT CITY KS - Order Granting Application for Certificate of Public Service | |

Total # of Orders: 2

End of Report