

**Kansas Corporation Commission**  
**Commission Meeting**  
**October 1, 2020**  
10:00 a.m. 1<sup>st</sup> 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 October 1, 2020, in the 1<sup>st</sup> 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 October 1, 2020, containing pages one through four and are attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Noticed Items:**

A. **Docket No. 20-VICE-437-TAR**

*In the Matter of the Application of The Victory Electric Cooperative Association, Inc., Seeking Commission Approval to Update Its Local Access Delivery Service Tariff Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. 16-MKEE-023-TAR.*

Commissioner French moved for approval of order #20-1703 – Order Approving Application of The Victory Electric Cooperative Association, Inc. to Update its Local Access Delivery Service Tariff. Commissioner Keen seconded the motion.

The order is approved.

B. **Docket No. 21-ATMG-100-TAR**

*In the Matter of the Application of Atmos Energy Corporation for Approval of a Credit to Customers to Comply with House Bill 2585.*

Commissioner Keen moved for approval of order #20-1716 – Order on Atmos Energy Corporation’s Application. Commissioner French 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 October 1, 2020, Commission Meeting at 10:05 a.m.

Respectfully submitted,

  
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Lynn M. Retz, Executive Director

  
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Susan K. Duffy, Chair

  
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Andrew J. French, Commissioner

  
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Dwight D. Keen, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, October 1, 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 F.G. Holl Company, LLC for an order granting an exception to the 10-year time limitation for K.A.R. 82-3-111 for its Boy Scouts OWWO 1-6 well located in the SE/4 of Section 6, Township 20 South, Range 13 West, Barton County, Kansas. <i>Order Granting Application</i>	20-CONS-3276-CEXC	
2	In the matter of the failure of Tailwater Inc. (Operator) to comply with K.S.A. 55-172 and K.A.R. 82-3-603 at the South Kempnich Lease in Anderson County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	21-CONS-3032-CPEN	
3	In the matter of the failure of LB Exploration, Inc. (Operator) to comply with K.A.R. 82-3-111 at the Hopkin's Ranch 30 #2 and Hopkin's Ranch 33 #1 in Barber County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	21-CONS-3043-CPEN	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the matter of the failure of Apollo Energies, Inc. (Operator) to comply with K.A.R. 82-3-111 at the Early A #1 in Barber County, Kansas. <b>Order Designating Presiding Officer and Setting Prehearing Conference</b>	21-CONS-3045-CPEN	
5	In the matter of the failure of Kent A. Deutsch dba Deutsch Oil Company (Operator) to comply with K.A.R. 82-3-111 at the Fish #1-7 in Stafford County, Kansas. <b>Penalty Order - Kent A. Deutsch dba Deutsch Oil Company</b>	21-CONS-3071-CPEN	
6	In the matter of the failure of LB Exploration, Inc.. (Operator) to comply with K.A.R. 82 3 111 at the Hiss #2, Geerdes 19 #1 and Herbel #11B-24-933 in Barton and Thomas County, Kansas. <b>Penalty Order - LB Exploration, Inc.</b>	21-CONS-3072-CPEN	
7	In the matter of the failure of Merit Energy Company, LLC (Operator) to comply with K.A.R. 82-3-111 at the Kinney Chester Sand Unit #503 in Stevens County, Kansas. <b>Penalty Order - Merit Energy Company, LLC</b>	21-CONS-3073-CPEN	
8	In the matter of the failure of Vince Coble dba Derrick Resources Inc. (Operator) to comply with K.A.R. 82-3-111 at the Kelly #D1 in Stevens County, Kansas. <b>Penalty Order - Vince Coble dba Derrick Resources Inc.</b>	21-CONS-3074-CPEN	
9	In the matter of the failure of Hoffman Resources LLC (Operator) to comply with K.A.R. 82-3-111 at the Roth H#4 and H Roth #9 in Rice County, Kansas. <b>Penalty Order - Hoffman Resources LLC</b>	21-CONS-3076-CPEN	
10	In the matter of the failure of Fuel Source Inc. (Operator) to comply with K.A.R. 82-3-407 at the Riggs #1 Injection in Chautauqua County, Kansas. <b>Penalty Order - Fuel Source Inc.</b>	21-CONS-3078-CPEN	
11	In the Matter of the Application of City of Winfield, for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. <b>Order Granting Transmission Rights Only Certificate</b>	21-WNFE-080-COC	
12	In the Matter of Vanillasoft Requesting for Waiver of KUSF Penalties <b>Order on Vanillasoft Corp's Request for Waiver of Penalties</b>	21-VSCV-091-KSF	
13	In the Matter of Columbus Communication Services. LLC Filing Tariff Revisions to Update Language <b>Order Granting Withdrawal and Closing Docket</b>	21-COST-112-TAR	
14	In the Matter of the Application of Sunflower Electric Power Corporation for Approval of the City of St. Francis Firm Energy, Capacity, and Load Following Agreement, and City of Hill City Firm Energy, Capacity, and Load Following Agreement <b>Suspension Order</b>	21-SEPE-113-CON	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Emergency Suspension of Operating Authority of Don C. Johnson, d/b/a Red Bone Trucking of Wichita, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations. <i>Order Reinstating Motor Carrier Authority</i>	15-TRAM-537-OOS	
16	In the Matter of the Investigation of Hinkle Trucking, LLC of Severy, 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 Suspending Intrastate Motor Carrier Operations</i>	20-TRAM-529-PEN	
17	In the Matter of the Investigation of Bettis Asphalt & Construction, 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-084-PEN	
18	In the Matter of the Investigation of Paul Ramirez, d/b/a Ramirez Industries of Wichita, 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-102-PEN	
19	In the Matter of the Investigation of Long Bar S Inc., d/b/a Scott & Associates 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-109-PEN	
20	In the Matter of the Investigation of Stonypoint Seed LLC of Fontana, 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-111-PEN	
21	In the Matter of the Investigation of B & J Service, Inc., d/b/a John's Service 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. <i>Penalty Order</i>	21-TRAM-115-PEN	
22	In the Matter of the Emergency Suspension of Operating Authority of Full Throttle Transport LLC of White City, 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-119-OOS	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the Matter of the Emergency Suspension of Operating Authority of KC Pier, 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. <i>Emergency Suspension of Operating Authority Order</i>	21-TRAM-124-OOS	
24	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	21-TRAM-5022-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-5022-TRA

Order Number	Description	Removed
20200922105236	<i>In the Matter of the Application of GRASSHOPPER EXPRESS of PITTSBURG KS for the Abandonment of Certificate of Public Service.</i> USDOT #2563304 GRASSHOPPER EXPRESS of PITTSBURG KS - Order Granting Request for Abandonment for Certificate of Public Service	
20200922125058	<i>In the Matter of the Application of GREEN LP TRANSPORT LLC of STRAFFORD MO for Authority for a Certificate of Public Service.</i> USDOT #3079672 GREEN LP TRANSPORT LLC of STRAFFORD MO - Order Granting Application for Certificate of Public Service	
20200922144604	<i>In the Matter of the Application of CARLOS E RAMON-BARZOLA of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #1786746 CARLOS E RAMON-BARZOLA of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20200922144759	<i>In the Matter of the Application of REYDEZEL GARCIA of ULYSSES KS for Authority for a Certificate of Public Service.</i> USDOT #2472767 REYDEZEL GARCIA of ULYSSES KS - Order Granting Application for Certificate of Public Service	
20200922155334	<i>In the Matter of the Application of ABRAM UNGER of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3481495 ABRAM UNGER of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20200924142321	<i>In the Matter of the Application of CB2 TRUCKS LLC of LEOTI KS for Authority for a Certificate of Public Service.</i> USDOT #3471165 CB2 TRUCKS LLC of LEOTI KS - Order Granting Application for Certificate of Public Service	
20200924163418	<i>In the Matter of the Application of WAUSAU SUPPLY TRUCKING LLC of SCHOFIELD WI for Authority for a Certificate of Public Service.</i> USDOT #3422451 WAUSAU SUPPLY TRUCKING LLC of SCHOFIELD WI - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number  
21-TRAM-5022-TRA**

Order Number	Description	Removed
20200925125226	<i>In the Matter of the Application of WURST LLC of RUSSELL KS for Authority for a Certificate of Public Service.</i> USDOT #3425870 WURST LLC of RUSSELL KS - Order Granting Application for Certificate of Public Service	
20200927112930	<i>In the Matter of the Application of DRIFTWOOD TRUCKING LLC of EMPORIA KS for the Abandonment of Certificate of Public Service.</i> USDOT #2253103 DRIFTWOOD TRUCKING LLC of EMPORIA KS - Order Granting Request for Abandonment for Certificate of Public Service	
20200928095745	<i>In the Matter of the Application of DRAGON TOWS LLC of S HUTCHINSON KS for Authority for a Certificate of Public Service.</i> USDOT #3487084 DRAGON TOWS LLC of S HUTCHINSON KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 10

**End of Report**