

Kansas Corporation Commission
Commission Meeting
November 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 November 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 French moved for approval of the Items on the Consent Agenda dated November 24, 2020, 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. 21-EKME-088-GIE**

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).

Commissioner Keen moved for approval of order #20-2193 – Order on KIC’s Motion to Join Elliott Management as a Required Party. Commissioner French seconded the motion.

The order is approved.

- B. **Docket No. 21-MWDW-143-COM**

In the Matter of the Complaint Against Melvern Water Department by Lester Stauffacher.

Commissioner French moved for approval of order #20-2207 – Order on *Prima Facie* Determination. Commissioner Keen seconded the motion.

The order is approved.

C. **Docket No. 21-EKME-161-COM**

In the Matter of the Complaint Against Evergy Electric by Lester W. Stauffacher.

Commissioner Keen moved for approval of order #20-2208 – Order Making *Prima Facie* Determination. Commissioner French seconded the motion.

The order is approved.

D. **Docket No. 21-EPDE-101-TAR**

In the Matter of the Application of the Empire District Electric Company for Approval of a Credit to Customers to Comply with House Bill 2585.

Commissioner French moved for approval of order 20-2192 – Order on Application of The Empire District Electric Company. Commissioner Keen seconded the motion.

The order is approved.

E. **Docket No. 21-EKME-050-RTS**

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.

Commissioner Keen moved for approval of order # 20-2161 – Order on Application of Evergy Metro, Inc., Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. 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 November 24, 2020, Commission Meeting at 10:16 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: Tuesday, November 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 the Application of Downing-Nelson Oil Co., Inc. for a Second Exception to the Pit Closure Time Limitation of K.A.R. 82-3-602(a)(2) for its Faye Seibel 1-8 Located in the SE SW NE NW of Sec 8-13S-21W, Trego County, Kansas. <i>Order Closing Docket</i>	20-CONS-3336-CEXC	
2	In the matter of the application of Dixon Operating Company, LLC, for an order granting an exception to the pit closure time limitation of K.A.R. 82-3-602 at its Byer #2-3 well located in the SE/4 of Section 3, Township 23 South, Range 12 West, Stafford County, Kansas. <i>Order Closing Docket</i>	21-CONS-3019-CEXC	
3	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>Order Approving Settlement Agreement</i>	21-CONS-3020-CPEN	

Consent Agenda

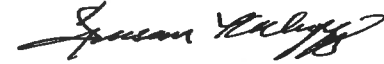
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the matter of the application of Scout Energy Management LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its MLP Cavner H 1 well located in the NE/4 of Section 32, Township 31 South, Range 38 West, Stevens County, Kansas. <i>Order Granting Application</i>	21-CONS-3055-CEXC	
5	In the matter of the application of Lebsack Oil Production, Inc., for an order granting an exception to the requirements of K.A.R. 82-3-135a(c), -401(a), -402(a) for its North River #7 injection well located in Section 27, Township 20 South, Range 10 West, Rice County, Kansas. <i>Order Granting Application for Exception</i>	21-CONS-3077-CEXC	
6	In the matter of the application of Berexco LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Kanzelmeyer Lease GMC #3 well located in the NE SE SW of Sec 6, T2S, R18W, Phillips County, Kansas. <i>Order Granting Application</i>	21-CONS-3086-CEXC	
7	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 Baughman G-2 well in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 19, Township 34 South, Range 35 West, Stevens County, Kansas. <i>Order Granting Application</i>	21-CONS-3088-CEXC	
8	In the matter of the application of Abercrombie Energy, LLC for a fourth exception to the 10-year time limitation of K.A.R. 82-3-111 for its Brown 26-1 well located in the NW SE NE of Section 26, Township 33 South, Range 31 West, Seward County, Kansas. <i>Order Granting Application</i>	21-CONS-3094-CEXC	
9	In the matter of the failure of Sam W. Mays Jr. LLC dba Mays Oil LLC (Operator) to comply with K.A.R. 82-3-407 at the Peters #1A in Ness County, Kansas. <i>Penalty Order - Sam W. Mays Jr. LLC dba Mays Oil LLC</i>	21-CONS-3106-CPEN	
10	In the matter of the failure of Culbreath Oil & Gas Co., Inc. (Operator) to comply with K.A.R. 82 3 111 at the A.C. Felt #1, Captain Kirk #1, Dale #1 and Muench #1-16 in Scott County, Kansas. <i>Penalty Order - Culbreath Oil & Gas Co., Inc.</i>	21-CONS-3109-CPEN	
11	In the Matter of the General Investigation into the Interest Rate Paid on Deposits of Customers of Municipal and Privately Owned Utilities. <i>Order Setting Interest Rate on Security Deposits For Calendar Year 2021</i>	98-GIMX-348-GIV	
12	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Twin Valley Communications, Inc. <i>Order Approving Amended Interconnection Agreement</i>	08-SWBT-455-IAT	

Consent Agenda

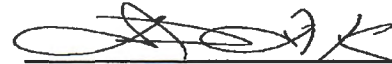
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Application of Atmos Energy for Approval of the Commission for Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204 <i>Order Granting CURB Petition to Intervene</i>	21-ATMG-180-TAR	
14	In the Matter of the Complaint of Rainbow Communications, LLC Against SWBT d/b/a AT&T Kansas Regarding Failing to Interconnect Upon Request <i>Order Assessing Costs</i>	21-SWBT-189-COM	
15	In the Matter of the Cancellation of Total Holdings, Inc. d/b/a GTC Communication's Certificate of Convenience and Authority to Provide Interexchange Service in the State of Kansas <i>Order Assessing Costs</i>	21-THIC-191-CCS	
16	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	21-TRAM-5034-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



1500 SW Arrowhead Road
Topeka, KS 66604-4027

Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Susan K. Duffy, Chair
Dwight D. Keen, Commissioner
Andrew J. French, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number 21-TRAM-5034-TRA

Order Number	Description	Removed
20201113105305	<i>In the Matter of the Application of ERIC MODEN of WAKEENEY KS for a Private Carrier Permit.</i> USDOT #549819 ERIC MODEN of WAKEENEY KS - Order Granting Application for a Private Carrier Permit	
20201116162155	<i>In the Matter of the Application of RICHARD M LANG of GREAT BEND KS for Authority for a Certificate of Public Service.</i> USDOT #3499273 RICHARD M LANG of GREAT BEND KS - Order Granting Application for Certificate of Public Service	
20201117092654	<i>In the Matter of the Application of PAUL HARSHBERGER of HUTCHINSON KS for a Private Carrier Permit.</i> USDOT #3369726 PAUL HARSHBERGER of HUTCHINSON KS - Order Granting Application for a Private Carrier Permit	
20201117092657	<i>In the Matter of the Application of PAUL HARSHBERGER of HUTCHINSON KS for Authority for a Certificate of Public Service.</i> USDOT #3369726 PAUL HARSHBERGER of HUTCHINSON KS - Order Granting Application for Certificate of Public Service	
20201117105925	<i>In the Matter of the Application of LEAR AGRI-SERVICE LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3492888 LEAR AGRI-SERVICE LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20201117105928	<i>In the Matter of the Application of LEAR AGRI-SERVICE LLC of GARDEN CITY KS for a Private Carrier Permit.</i> USDOT #3492888 LEAR AGRI-SERVICE LLC of GARDEN CITY KS - Order Granting Application for a Private Carrier Permit	
20201117111925	<i>In the Matter of the Application of CROSSWIND EXPRESS LLC of CUNNINGHAM KS for Authority for a Certificate of Public Service.</i> USDOT #3500840 CROSSWIND EXPRESS LLC of CUNNINGHAM KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
21-TRAM-5034-TRA**

Order Number	Description	Removed
20201117134553	<i>In the Matter of the Application of JOHN F ROENNE of OSBORNE KS for Authority for a Certificate of Public Service.</i> USDOT #1246504 JOHN F ROENNE of OSBORNE KS - Order Granting Application for Certificate of Public Service	
20201118104659	<i>In the Matter of the Emergency Suspension of Authority of RENEGADE TOWING & RECOVERY LLC of BELLEVILLE KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2845935 RENEGADE TOWING & RECOVERY LLC of BELLEVILLE KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20201118120256	<i>In the Matter of the Emergency Suspension of Authority of LIVINGSTONE TRANSPORT LLC of BELOIT KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3273523 LIVINGSTONE TRANSPORT LLC of BELOIT KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20201118130047	<i>In the Matter of the Application of DAVID MICHAEL SAKER of FORT SCOTT KS for Authority for a Certificate of Public Service.</i> USDOT #3512690 DAVID MICHAEL SAKER of FORT SCOTT KS - Order Granting Application for Certificate of Public Service	
20201118144945	<i>In the Matter of the Emergency Suspension of Authority of HYDRO CHEM SPRAY SERVICES INC of GREAT BEND KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1083709 HYDRO CHEM SPRAY SERVICES INC of GREAT BEND KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20201118152346	<i>In the Matter of the Emergency Suspension of Authority of KRISTOPHER A KROMER of SALINA KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2868959 KRISTOPHER A KROMER of SALINA KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20201118160058	<i>In the Matter of the Application of TOP GAUGE TRANSPORT LLC of LA HARPE KS for Authority for a Certificate of Public Service.</i> USDOT #3480687 TOP GAUGE TRANSPORT LLC of LA HARPE KS - Order Granting Application for Certificate of Public Service	
20201119124730	<i>In the Matter of the Emergency Suspension of Authority of BARTEL WELL DRILLING INC of MEADE KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1419835 BARTEL WELL DRILLING INC of MEADE KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20201119125250	<i>In the Matter of the Application of PATRICK PRESCOTT of ST JOHN KS for Authority for a Certificate of Public Service.</i> USDOT #2876043 PATRICK PRESCOTT of ST JOHN KS - Order Granting Application for Certificate of Public Service	
20201119131538	<i>In the Matter of the Application of GEORGE URQUIDI of SATANTA KS for Authority for a Certificate of Public Service.</i> USDOT #2916324 GEORGE URQUIDI of SATANTA KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
21-TRAM-5034-TRA**

Order Number	Description	Removed
20201119142208	<i>In the Matter of the Application of ALFREDO ALVARADO GOMEZ of ULYSSES KS for Authority for a Certificate of Public Service.</i> USDOT #3505392 ALFREDO ALVARADO GOMEZ of ULYSSES KS - Order Granting Application for Certificate of Public Service	
20201119154608	<i>In the Matter of the Application of ROBERT M DAVID of RUSSELL KS for Authority for a Certificate of Public Service.</i> USDOT #968100 ROBERT M DAVID of RUSSELL KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 19

End of Report