Kansas Corporation Commission
Commission Meeting
December 10, 2020
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

Due to the COVID-19 Pandemic the Business Meeting was not open to the public. The Business Meeting was streamed on YouTube and could be accessed on the KCC webpage at kcc.ks.gov. Public Access to KCC offices is currently by appointment only to help reduce the spread of COVID-19.

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on December 10, 2020, in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chair Duffy, Commissioner Keen and Commissioner French appeared by video streaming. The following were considered by the Commission:

1. **Consent Agenda**: Commissioner Keen stated that he is recused from Consent Agenda #4. Acknowledging Commissioner Keen's recusal from Consent Agenda #4, Commissioner French moved for approval of the Items on the Consent Agenda dated December 10, 2020, containing pages one through three and are attached to these Minutes. Commissioner Keen seconded the motion.

   The motion was approved.

2. **Noticed Item:**
   Docket No. 20-CONS-3088-CPEN
   In the matter of the failure of Lawco Holdings, LLC to comply with K.A.R. 82-3-400 at the Radcliff #7-5 well in Cowley County, Kansas.

   Commissioner Keen moved for approval of order # 20-2275 – Final Order. Commissioner French seconded the motion.

   The order is approved.

3. **Other Matters:**
   The Commissioners recognized retiring KCC employee Scott Alberg, Professional Geologist Supervisor for the Dodge City Conservation Division District #1.

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 December 10, 2020, Commission Meeting at 10:21 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: Thursday, December 10, 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 Complaint Against Evergy by Richard S. & Barbara R. Brooks ***Order Granting Request for Extension of Time***	20-EKCE-414-COM	
2	In the Matter of the Application forTC Wireless, Inc. for Video Service Authorization ***Order Granting Withdrawal and Closing Docket***	21-TCWT-192-VSA	
3	In the Matter of the Application of The Empire District Electric Company for Approval of its Annual True-Up of its Net Excess ADIT Pursuant to its Tax Change Rider ***Order Assessing Costs***	21-EPDE-205-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	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 Consolidating Dockets, Granting Motion to Withdraw as Counsel, Setting Deadline to Obtain New Counsel, and Setting Evidentiary Hearing***	19-CONS-3271-CPEN	Keen Recused
4	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 Consolidating Dockets, Granting Motion to Withdraw as Counsel, Setting Deadline to Obtain New Counsel, and Setting Evidentiary Hearing***	19-CONS-3272-CPEN	
4	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 Consolidating Dockets, Granting Motion to Withdraw as Counsel, Setting Deadline to Obtain New Counsel, and Setting Evidentiary Hearing***	20-CONS-3293-CPEN	
4	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 Consolidating Dockets, Granting Motion to Withdraw as Counsel, Setting Deadline to Obtain New Counsel, and Setting Evidentiary Hearing***	20-CONS-3334-CPEN	
5	In the Matter of the Emergency Suspension of Operating Authority of LU Timely Express LLC of Lenexa, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. ***Order Reinstating Operating Authority***	20-TRAM-429-OOS	
6	In the Matter of the Investigation of Pablo Becerril-Loma, d/b/a Becerril 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-201-PEN	
7	In the Matter of the Investigation of Baldwin Trucking, Inc. of Plainville, 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-202-PEN	
8	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	21-TRAM-5038-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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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-5038-TRA

Order Number	Description	Removed
20201204091908	*In the Matter of the Application of HAM TOOLS LLC of GOODLAND KS for a Private Carrier Permit.* USDOT #3512209 HAM TOOLS LLC of GOODLAND KS - Order Granting Application for a Private Carrier Permit	
20201207132726	*In the Matter of the Emergency Suspension of Authority of REBEL TANK SERVICE LLC of HAYS KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #1974604 REBEL TANK SERVICE LLC of HAYS KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	

Total # of Orders: 2

End of Report