Kansas Corporation Commission
Commission Meeting
January 5, 2021
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 January 5, 2021, 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 French moved for approval of the Items on the Consent Agenda dated January 5, 2021, 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. 16-GIMT-511-GIT
In the Matter of an Investigation to Address CenturyLink's CAF II and KUSF Support.

Commissioner French moved for approval of order #20-2369 – Order on Staff's Report and Recommendation. Commissioner French seconded the motion.

The order is approved.

B. Docket No. 18-KPPE-343-COC
In the Matter of the Application of Kansas Power Pool for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas for Transmission Rights Only to Cross Service Territory of Southern Pioneer Electric Company and Ninnescah Rural Electric Company.

Commissioner Keen moved for approval of Order #20-2361 – Order on KPP's Motion to Approve an Alternate Route for the Previously Approved 34.5 kV Transmission Line. Commissioner French seconded the motion.

The order is approved.

C. Docket No. 20-CONS-3182-CPEN
In the matter of the failure of Viva International, Inc. ("Operator") to comply with K.A.R. 82-3-603 at the Wright Lease in Linn County, Kansas.

Docket No. 20-CONS-3255-CPEN
In the matter of the failure of Viva International, Inc. ("Operator") to comply with K.S.A. 55-164 and K.A.R. 82-3-120 at the Campbell, Carlson, and Gillian Simpson leases in Wilson County and Sedgwick County, Kansas.

Commissioner Keen moved for approval of Order #20-2351 – Final Order. Commissioner French seconded the motion.

The order is approved.

There being no further matters before the Commission, Commissioner Keen moved for adjournment of the Commission meeting. Commissioner French seconded the motion. The motion was approved. The Commission adjourned the January 5, 2021, Commission Meeting at 10:14 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, January 5, 2021

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 failure of Bickle Energy LLC (Operator) to report activity that occurred during the 2019 calendar year in compliance with K.A.R. 82 3 409. ***Penalty Order - Bickle Energy LLC***	21-CONS-3128-CPEN	
2	In the matter of the failure of StrataKan Exploration, LLC (Operator) to comply with K.A.R. 82-3-602 at the Morrow #2734H well in Harper County, Kansas. ***Penalty Order - StrataKan Exploration, LLC***	21-CONS-3129-CPEN	
3	In the matter of the failure of Evergy Metro, Inc. dba West Gardner Facility (Operator) to comply with K.A.R. 82-3-602 and K.A.R. 82 3-608 at the West Gardner Facility #1 well in Johnson County, Kansas. ***Penalty Order - Evergy Metro, Inc. dba West Gardner Facility***	21-CONS-3130-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Mid-America Pipeline Company, LLC for Permission to Cease Operating as a Liquids Pipeline Carrier from Coffeyville Refinery in Coffeyville, Montgomery County, Kansas, to the Connection Point with NuStar Pipeline Operating Partnership L.P. in El Dorado, Butler County, Kansas. ***Order Granting Application***	21-MDAP-108-CCS	
5	In the Matter of the Complaint Against Evergy, Inc., Kansas Gas Service and Wichita Public Works by Latisah Michaux. ***Order on Amended Formal Complaint***	21-EKCE-170-COM	
6	In the Matter of LCRTelecommunications, LLC Request to Cancel Certificate of Convenience ***Order Cancelling Certificate***	21-LTLC-210-CCS	
7	In the Matter of the Application of Southern Pioneer Electric Company Filing its 2020 Property Tax Surcharge for 2021 Rates. ***Order Granting Intervention To CURB; Discovery Order; Protective Order***	21-SPEE-232-TAR	
8	In the Matter of CTC Communications Corp. Requesting to Cancel its IXC Certification ***Order Assessing Costs***	21-CCOC-233-CCS	
9	In the Matter of Windstream NTI, LLC's Requesting to Cancel its IXC Certification ***Order Assessing Costs***	21-NLTC-234-CCS	
10	In the Matter of United Telephone Companies of Kansas dba CenturyLink General Exchange Tariff Revisions to Increases the Per Call Rate for Directory Assistance and Increases the Monthly Rate for Directory Listings. ***Order Accepting Tariff Revisions; Closing Docket***	21-UTDT-239-TAR	
11	In the Matter of Windstream NTI, LLC Requesting to Cancel its CLEC Certification ***Order Assessing Costs***	21-NLTC-235-CCS	
12	In the Matter of United Telephone Companies of Kansas dba CenturyLink General Exchange Tariff Revisions to Increases the Per Call Rate for Directory Assistance and Increases the Monthly Rate for Directory Listings. ***Order Assessing Costs***	21-UTDT-239-TAR	
13	In the Matter of the Application of Evergy Kansas Central, Inc. Filing its Property Tax Surcharge ***Order Assessing Costs***	21-EKCE-240-TAR	
14	In the Matter of the Application of Evergy Kansas Metro Seeking Approval for a Property Tax Surcharge Adjustment for 2021, Per K.S.A. 66-117(f) ***Order Assessing Costs***	21-EKME-241-TAR	
15	In the Matter of the Application of Prairie Land Electric Cooperative, Inc.Fling its Property Tax Surcharge 2020 ***Order Assessing Costs***	21-PLCE-242-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the Matter of the Investigation of Magnificent Lawn LLC of Olathe, 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. ***Order Suspending Intrastate Motor Carrier Operations***	21-TRAM-082-PEN	
17	In the Matter of the Investigation of Wright's Moving 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. ***Order Suspending Intrastate Motor Carrier Operations***	21-TRAM-090-PEN	
18	In the Matter of the Investigation of Donald & Beverly Leach, d/b/a Don Leach Truck Line of Hiawatha, 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. ***Order Suspending Intrastate Motor Carrier Operations***	21-TRAM-130-PEN	
19	In the Matter of the Investigation of Ramon Pallares, d/b/a Star Trucking of Liberal, 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-236-PEN	
20	In the Matter of the Investigation of Delphos Cooperative Association of Delphos, 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-237-PEN	
21	In the Matter of the Investigation of Justin D. Strahan, d/b/a Outnumbered 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-238-PEN	
22	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	21-TRAM-5043-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
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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-5043-TRA

Order Number	Description	Removed
20201228143401	*In the Matter of the Application of KARAMO XPRZ LLC of OVERLAND PARK KS Seeking Authority for a Certificate of Public Service.* USDOT #3477463 KARAMO XPRZ LLC of OVERLAND PARK KS - Order Dismissing Application for Certificate of Public Service	
20201228143429	*In the Matter of the Emergency Suspension of Authority of STEVE BRUMBACK of FORT SCOTT KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #706840 STEVE BRUMBACK of FORT SCOTT KS - Emergency Order Suspending Authority	
20201228143429	*In the Matter of the Emergency Suspension of Authority of KENNETH E MOLT of HORTON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #1828455 KENNETH E MOLT of HORTON KS - Emergency Order Suspending Authority	
20201228143429	*In the Matter of the Emergency Suspension of Authority of IVERSON & WESTFALL PLUMBING INC of MULVANE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2477120 IVERSON & WESTFALL PLUMBING INC of MULVANE KS - Emergency Order Suspending Authority	
20201228143429	*In the Matter of the Emergency Suspension of Authority of NEALS CONSTRUCTION CO INC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #1752196 NEALS CONSTRUCTION CO INC of WICHITA KS - Emergency Order Suspending Authority	
20201228143429	*In the Matter of the Emergency Suspension of Authority of J & M TRUCKING INC of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #720908 J & M TRUCKING INC of GARDEN CITY KS - Emergency Order Suspending Authority	
20201228143429	*In the Matter of the Emergency Suspension of Authority of SOSA LOGISTICS LLC of OLATHE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3236733 SOSA LOGISTICS LLC of OLATHE KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
21-TRAM-5043-TRA

Order Number	Description	Removed
20201228143429	*In the Matter of the Emergency Suspension of Authority of HT TRUCKING LLC of BUSHTON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2257615 HT TRUCKING LLC of BUSHTON KS - Emergency Order Suspending Authority	
20201230164106	*In the Matter of the Emergency Suspension of Authority of MARCELLUS HOUSE MOVING LLC of LIBERAL KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #328489 MARCELLUS HOUSE MOVING LLC of LIBERAL KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20201231083732	*In the Matter of the Application of HERL AG SPRAYING LLC of GRAINFIELD KS for Authority for a Certificate of Public Service.* USDOT #1444818 HERL AG SPRAYING LLC of GRAINFIELD KS - Order Granting Application for Certificate of Public Service	
20201231084557	*In the Matter of the Application of PRECISION AG SPREADERS LLC of GALVA KS for Authority for a Certificate of Public Service.* USDOT #3527281 PRECISION AG SPREADERS LLC of GALVA KS - Order Granting Application for Certificate of Public Service	
20201231084559	*In the Matter of the Application of PRECISION AG SPREADERS LLC of GALVA KS for a Private Carrier Permit.* USDOT #3527281 PRECISION AG SPREADERS LLC of GALVA KS - Order Granting Application for a Private Carrier Permit	
20201231151943	*In the Matter of the Emergency Suspension of Authority of DAVID SHERMAN of CULLISON KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #625401 DAVID SHERMAN of CULLISON KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	

Total # of Orders: 13

End of Report