

Kansas Corporation Commission
Commission Meeting
June 8, 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 10:01 a.m. on June 8, 2021, in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Commissioner Keen and Commissioner Duffy appeared by video streaming. Chairperson French was absent. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Keen moved for approval of the Consent Agenda dated June 8, 2021, containing pages one through four attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

There being no further matters before the Commission, Commissioner Keen moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The motion was approved. The Commission adjourned the June 8, 2021, Commission Meeting at 10:02 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Susan K. Duffy, Commissioner

Absent

Andrew J. French, Chairperson



Dwight D. Keen, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, June 8, 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 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 Merit Energy Company, LLC for an order granting an exception to the oil production allowable assigned to its Black Knight 28-1 located in the SE/4 of Section 28, Township 27 South, Range 33 West, Haskell County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	21-CONS-3211-CALL	
2	In the matter of the failure of North Lake Resources (Operator) to comply with K.A.R. 82-3-111 at the Hoyt #1-7 in Barber County, Kansas. <i>Penalty Order - North Lake Resources</i>	21-CONS-3292-CPEN	
3	In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Birch Telecom of Kansas, Inc. <i>Order Approving Amended Interconnection Agreement</i>	06-SWBT-747-IAT	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Investigation into Southern Pioneer Electric Company Regarding the February 2021 Winter Weather Events, as Contemplated by Docket No. 21-GIMX-303-MIS. Order Granting Motion for Protection of Highly Sensitive Data	21-SPEE-331-GIE	
5	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy to Update Tariff Daily Delivery Variance Charges Order Approving Tariff Revisions	21-BHCG-345-TAR	
6	In the Matter of CSC Wireless, LLC Requesting for Waiver of Penalties to the Commission Order Closing Docket	21-CSWZ-395-KSF	
7	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Two-Way CMRS Interconnection Agreement Under the Telecommunications Act of 1996 With Dish Wireless, LLC Order Approving Interconnection Agreement	21-SWBT-401-IAT	
8	In the Matter of United Telephone Companies of Kansas d/b/a CentruyLink for Revisions to its Access Service Tariff. Order Closing Docket	21-UTDT-409-TAR	
9	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC for an Extension of its Certificate of Convenience and Authority to Operate as a Natural Gas Public Utility in an Area Heretofore Served by the City of Ford, Kansas, a Municipally Owned Natural Gas Utility Order Granting CURB's Petition to Intervene; Protective and Discovery Order	21-BHCG-417-ACQ	
10	In the Matter of the Application of Jayhawk Pipeline, L.L.C. Filing Tariff Revisions to Decrease the Annual F.E.R. Index for 2021 Suspension Order: January 24, 2022	21-JYHP-442-TAR	
11	Haviland Telephone Company, Inc. Tariff Revisions Billing & Collection Order Assessing Costs	21-HVDT-445-TAR	
12	In the Matter of Consolidated Communications of Kansas Company Filing Tariff Revisions to Increase the Convenience Fee. Order Assessing Costs	21-SFLT-446-TAR	
13	In the Matter of Consolidated Communications of Missouri Company Filing a Tariff Revision - KCC General Exchange Tariff No. 1, Convenience Fee Increase. Order Assessing Costs	21-FCMT-447-TAR	
14	In the Matter of the Application of Magellan Pipeline Company, L.P. Revising its Tariff Rates Based on the FERC Index for 2021. Order Assessing Costs	21-MGPP-448-TAR	
15	In the Matter of the Application of Magellan Pipeline Company, L.P. Revising its Tariff Rates Based on the FERC Index for 2021. Suspension Order: January 24, 2022	21-MGPP-448-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the Matter of the Investigation of Kendal Fisher of Oberlin, Kansas, Regarding the Violation of the 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 Reinstating Intrastate Motor Carrier Operations</i>	11-TRAM-339-OOS	
17	In the Matter of the Investigation of Ottaway Amusement Co. Inc. of Onaga, 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-450-PEN	
18	In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees <i>2020 UCR Penalty Orders</i>	21-TRAM-451-PEN	
19	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	21-TRAM-5083-TRA	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :

Absent

Andrew J. French, Chairperson



Dwight D. Keen, Commissioner



Susan K. Duffy, Commissioner

Attest:



Lynn M. Retz
Executive Director

1500 SW Arrowhead Road
Topeka, KS 66604-4027



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

Laura Kelly, Governor

Transportation Orders By Docket Number
21-TRAM-5083-TRA

Order Number	Description	Removed
20210602091432	<i>In the Matter of the Application of MIDWEST TRANSPORT SERVICES LLC of NEWTON KS for Authority for a Certificate of Public Service.</i> USDOT #3225324 MIDWEST TRANSPORT SERVICES LLC of NEWTON KS - Order Granting Application for Certificate of Public Service	
20210602124150	<i>In the Matter of the Application of GAF URISTA TRUCKING LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3614634 GAF URISTA TRUCKING LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20210602124834	<i>In the Matter of the Application of SHY EXPRESS LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3190298 SHY EXPRESS LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of MYRON LAVERNE SCHROCK of OSKALOOSA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3224319 MYRON LAVERNE SCHROCK of OSKALOOSA KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of BULLSEYE TRANSPORTING LLC of BELLE PLAINE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2724658 BULLSEYE TRANSPORTING LLC of BELLE PLAINE KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of POORE FARM TRUCKING LLC of ALTON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1756732 POORE FARM TRUCKING LLC of ALTON KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of JHOFREE HOMES LLC of DODGE CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2943406 JHOFREE HOMES LLC of DODGE CITY KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
21-TRAM-5083-TRA

Order Number	Description	Removed
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of DOHERTY STEEL INC of PAOLA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #327844 DOHERTY STEEL INC of PAOLA KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of JOSE MIGUEL T RUIZ of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2562410 JOSE MIGUEL T RUIZ of GARDEN CITY KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of TODD MARTIN of SUBLETTE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #670367 TODD MARTIN of SUBLETTE KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of KOLTON E CRYSTAL of GIRARD KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3003598 KOLTON E CRYSTAL of GIRARD KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of T J FRINK TRUCKING LLC of ST JOHN KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3429199 T J FRINK TRUCKING LLC of ST JOHN KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of OK TRANSFER LLC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1799712 OK TRANSFER LLC of WICHITA KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of J & K TERRELL LLC of COLBY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2482338 J & K TERRELL LLC of COLBY KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of TRI-HULL CRANE RENTAL LLC of LAWRENCE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2525204 TRI-HULL CRANE RENTAL LLC of LAWRENCE KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of CLARK PRIVATE ELECTRIC INC of MANHATTAN KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3515280 CLARK PRIVATE ELECTRIC INC of MANHATTAN KS - Emergency Order Suspending Authority	
20210603152606	<i>In the Matter of the Emergency Suspension of Authority of J & K TERRELL LLC of COLBY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2482338 J & K TERRELL LLC of COLBY KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
21-TRAM-5083-TRA

Order Number	Description	Removed
20210603152706	<i>In the Matter of the Application of ROBERT L SWEET of INMAN KS Seeking a Permit of Private Authority.</i> USDOT #1494998 ROBERT L SWEET of INMAN KS - Order Dismissing Application for Permit of Private Authority	
20210603152706	<i>In the Matter of the Application of LAKIN FAMILY FARMS LLC of PAWNEE ROCK KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3574661 LAKIN FAMILY FARMS LLC of PAWNEE ROCK KS - Order Dismissing Application for Certificate of Public Service	
20210603152706	<i>In the Matter of the Application of ON DUTY TRANS LLC of LENEXA KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3575440 ON DUTY TRANS LLC of LENEXA KS - Order Dismissing Application for Certificate of Public Service	
20210603152706	<i>In the Matter of the Application of ROBERT L SWEET of INMAN KS Seeking Authority for a Certificate of Public Service.</i> USDOT #1494998 ROBERT L SWEET of INMAN KS - Order Dismissing Application for Certificate of Public Service	
20210603152706	<i>In the Matter of the Application of AMERICAN ROOFING INC of LEAVENWORTH KS Seeking a Permit of Private Authority.</i> USDOT #271159 AMERICAN ROOFING INC of LEAVENWORTH KS - Order Dismissing Application for Permit of Private Authority	
20210603152706	<i>In the Matter of the Application of ALBERT O GREESON of MOSCOW KS Seeking Authority for a Certificate of Public Service.</i> USDOT #1808320 ALBERT O GREESON of MOSCOW KS - Order Dismissing Application for Certificate of Public Service	
20210603152706	<i>In the Matter of the Application of ELBERT AND SONS TRUCKING LLC of INDEPENDENCE MO Seeking Authority for a Certificate of Public Service.</i> USDOT #3521883 ELBERT AND SONS TRUCKING LLC of INDEPENDENCE MO - Order Dismissing Application for Certificate of Public Service	
20210603152706	<i>In the Matter of the Application of MOHAWK SERVICES LLC of WICHITA KS Seeking a Permit of Private Authority.</i> USDOT #1129617 MOHAWK SERVICES LLC of WICHITA KS - Order Dismissing Application for Permit of Private Authority	
20210603152706	<i>In the Matter of the Application of AMERICAN AG & AUTO LLC of GLEN ELDER KS Seeking Authority for a Certificate of Public Service.</i> USDOT #2481114 AMERICAN AG & AUTO LLC of GLEN ELDER KS - Order Dismissing Application for Certificate of Public Service	
20210603152706	<i>In the Matter of the Application of AMERICAN TOW & RECOVERY of KANSAS CITY MO Seeking Authority for a Certificate of Public Service.</i> USDOT #3381009 AMERICAN TOW & RECOVERY of KANSAS CITY MO - Order Dismissing Application for Certificate of Public Service	

Transportation Orders By Docket Number
21-TRAM-5083-TRA

Order Number	Description	Removed
20210603152706	<i>In the Matter of the Application of MICHAEL WAYNE EIKENBERRY of MOSCOW KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3562920 MICHAEL WAYNE EIKENBERRY of MOSCOW KS - Order Dismissing Application for Certificate of Public Service	
20210603152707	<i>In the Matter of the Application of PERFECTION TRUCKING INC of MULVANE KS Seeking a Permit of Private Authority.</i> USDOT #3568268 PERFECTION TRUCKING INC of MULVANE KS - Order Dismissing Application for Permit of Private Authority	
20210603152707	<i>In the Matter of the Application of PERFECTION TRUCKING INC of MULVANE KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3568268 PERFECTION TRUCKING INC of MULVANE KS - Order Dismissing Application for Certificate of Public Service	
20210603152707	<i>In the Matter of the Application of RAIMON IZQUIERDO PUENTES of INDEPENDENCE MO Seeking Authority for a Certificate of Public Service.</i> USDOT #3569856 RAIMON IZQUIERDO PUENTES of INDEPENDENCE MO - Order Dismissing Application for Certificate of Public Service	
20210603152707	<i>In the Matter of the Application of HACKSAW RIDGE TRUCKING LLC of LEAVENWORTH KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3539698 HACKSAW RIDGE TRUCKING LLC of LEAVENWORTH KS - Order Dismissing Application for Certificate of Public Service	
20210603152707	<i>In the Matter of the Application of PALATIAL LAWNS LLC of KANSAS CITY KS Seeking a Permit of Private Authority.</i> USDOT #3563359 PALATIAL LAWNS LLC of KANSAS CITY KS - Order Dismissing Application for Permit of Private Authority	
20210603152707	<i>In the Matter of the Application of RILEY WAYNE NOLL of RANSOM KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3572678 RILEY WAYNE NOLL of RANSOM KS - Order Dismissing Application for Certificate of Public Service	
20210603152707	<i>In the Matter of the Application of FRANK ARTHUR ORSER JR of LEAVENWORTH KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3569509 FRANK ARTHUR ORSER JR of LEAVENWORTH KS - Order Dismissing Application for Certificate of Public Service	
20210603152707	<i>In the Matter of the Application of EMH AG LLC of LITTLE RIVER KS Seeking a Permit of Private Authority.</i> USDOT #3559949 EMH AG LLC of LITTLE RIVER KS - Order Dismissing Application for Permit of Private Authority	

Total # of Orders: 36

End of Report

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

Laura Kelly, Governor

Transportation Orders By Docket Number
21-TRAM-451-PEN

Order Number	Description	Removed
21-1026	<i>Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers'</i> <i>Docket No. '21-TRAM-451-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i> 2020 UCR Penalty Order - Arnold Dean Woerner	
21-1029	<i>Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers'</i> <i>Docket No. '21-TRAM-451-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i> 2020 UCR Penalty Order - Asset Transportation Management LLC	
21-1031	<i>Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers'</i> <i>Docket No. '21-TRAM-451-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i> 2020 UCR Penalty Order - Baba Enterprises LLC	
21-1033	<i>Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers'</i> <i>Docket No. '21-TRAM-451-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i> 2020 UCR Penalty Order - Barnds Brothers Inc	
21-1035	<i>Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers'</i> <i>Docket No. '21-TRAM-451-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i> 2020 UCR Penalty Order - Boos Trucking LLC	

Transportation Orders By Docket Number
21-TRAM-451-PEN

Order Number	Description	Removed
21-1037	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Bruce G Seiler	
21-1042	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Bronoski Trucking	
21-1044	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - C&C Transportation LLC	
21-1046	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Cedar Crest Farms LLC	
21-1048	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Charles W Sowers dba Barlie Underground	
21-1050	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Chase Contractors Inc	
21-1052	Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers' Docket No. '21-TRAM-451-PEN' Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Creekstone Farms Premium Beef LLC	

Transportation Orders By Docket Number
21-TRAM-451-PEN

Order Number	Description	Removed
21-1054	<i>Order for Docket 'In the Matter of the Investigation of Certain Motor Carriers'</i> <i>Docket No. '21-TRAM-451-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i> 2020 UCR Penalty Order - Cut Rate Junk Removal	

Total # of Orders: 13

End of Report