

**Kansas Corporation Commission**  
**Commission Meeting**  
**July 13, 2021**  
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 July 13, 2021, in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chairperson French, Commissioner Keen and Commissioner Duffy. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Duffy moved for approval of the Items on the Consent Agenda dated July 13, 2021, containing pages one through four attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Noticed Items:**

- A. **Docket No. 21-GIMX-303-MIS**

*In the Matter of the Record Natural Gas Prices and Potential System Reliability Issues from Unprecedented and Sustained Cold Weather.*

Commissioner Duffy moved for approval of Order #21-1272 – Order Granting Joint Motion to Approve City of Eskridge’s Plan for Recovery of Gas Costs. Commissioner Keen seconded the motion.

The order was approved.

- B. **Docket No. 21-EPDE-134-TAR**

*In the Matter of the Application of The Empire District Electric Company’s Proposed Tariff Revision of the Credit/Debit Card Transaction Amounts.*

Commissioner Keen moved for approval of Order #21-1265 – Order. Commissioner Duffy seconded the motion.

The order was approved.

- C. **Docket No. 21-EKME-196-TAR**


*In the Matter of the Application of Evergy Kansas Metro, Inc. for Approval of Revisions to Its Renewable Rider Tariff.*

Commissioner Duffy moved for approval of Order # 21-1303 – Order Adopting Staff’s Report and Recommendation. Commissioner Keen seconded the motion.

The order 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 July 13, 2021 Commission Meeting at 10:14 a.m.

Respectfully submitted,

  
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Lynn M. Retz, Executive Director

  
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Andrew J. French, Chairperson

  
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Susan K. Duffy, Commissioner

  
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Dwight D. Keen, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, July 13, 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 John O. Farmer, Inc. for a well location exception for the Desair Unit No. 1 well in Section 8, Township 9 South, Range 21 West, Graham County, Kansas. <i>Order Granting Application</i>	21-CONS-3283-CWLE	
2	In the matter of the failure of Luke Town (Operator) to comply with K.A.R. 82-3-602 at the Town #G-1 well in Johnson County, Kansas. <i>Order Rescinding Penalty Order</i>	21-CONS-3314-CPEN	
3	In the Matter of the Application of Eastern Kansas Operating, LLC (Operator) for an Operator's License Renewal. <i>Order Denying Application for License</i>	22-CONS-3009-CMSC	
4	In the Matter of the Application of Urban H. Hickert dba Tyrok (Operator) for an Operator's License Renewal. <i>Order Denying Application for License</i>	22-CONS-3010-CMSC	
5	In the Matter of the Application of Elk Oil Enterprises, LLC (Operator) for an Operator's License Renewal. <i>Order Denying License Application</i>	22-CONS-3011-CMSC	

## Consent Agenda

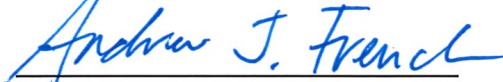
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
6	In the Matter of An Investigation to Determine the Assessment Rate for the Twenty-Fourth Year of the Kansas Universal Service Fund, Effective March 1, 2020. <b>Order Accepting the VPS Revised KUSF Selection Criteria and Carrier Review Procedures</b>	20-GIMT-086-GIT	
7	In the Matter of An Investigation to Determine the Assessment Rate for the Twenty-Fourth Year of the Kansas Universal Service Fund, Effective March 1, 2020. <b>Order Approving Traffic Factors for Consumer Cellular Incorporated (Oct - Dec 2020)</b>	20-GIMT-086-GIT	
8	In the Matter of the Joint Application of Evergy Kansas Central, Inc. and Evergy Kansas South, Inc. for Approval of their Annual Energy Costs Correction Adjustment Factor. <b>Order Approving Annual Cost Adjustment Factor</b>	20-EKCE-406-ACA	
9	In the Matter of an Investigation to Determine the Affordable Local Service Rates for Rate-of-Return Regulated Carriers and the Annual Assessment Rate for the Twenty-Fifth Year of the Kansas Universal Service Fund, Effective March 1, 2021. <b>Order Approving Traffic Factors for Consumer Cellular Incorporated (July-Sept 2021)</b>	21-GIMT-095-GIT	
10	In the Matter of the Application of Black Hills Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for a Waiver of Tariff <b>Order Granting Pro Hac Vice Admission to Jeffrey Dangeau</b>	21-BHCG-370-MIS	
11	In the Matter of the Application of The Empire District Electric Company for Approval of the Commission to Make Certain Changes in its Charges for Electric Service. <b>Order Adopting Procedural Schedule and Designating Presiding Officer</b>	21-EPDE-444-RTS	
12	In the Matter of the Joint Application of Sunflower Electric Power Corporation and Prairie Land Electric Cooperative, Inc., for Approval of the City of Norton Firm Energy, Capacity, and Load Following Agreement <b>Order Assessing Costs</b>	22-SEPE-011-CON	
13	In the Matter of the Joint Application of Sunflower Electric Power Corporation and Prairie Land Electric Cooperative, Inc., for Approval of the City of Norton Firm Energy, Capacity, and Load Following Agreement <b>Suspension Order: March 3, 2022</b>	22-SEPE-011-CON	
14	In the Matter of the Emergency Suspension of Operating Authority of Llantera Juaritos LLC of Garden City, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. <b>Order Reinstating Motor Carrier Operating Authority</b>	21-TRAM-468-OOS	
15	In the Matter of the Investigation of KC Hauling LLC of Kansas 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. <b>Penalty Order</b>	21-TRAM-475-PEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the Matter of the Investigation of Steven Gardner, d/b/a National Builders Incorporated, 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>	22-TRAM-005-PEN	
17	In the Matter of the Investigation of Devin L Harris d/b/a Double D Towing, Eureka, 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>	22-TRAM-008-PEN	
18	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees <i>2020 UCR Penalty Orders</i>	22-TRAM-010-PEN	
19	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5001-TRA	

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

For the Commission :



Andrew J. French, Chairperson

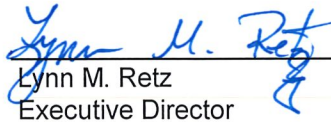


Dwight D. Keen, Commissioner



Susan K. Duffy, Commissioner

Attest:

  
Lynn M. Retz  
Executive Director



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

Laura Kelly, Governor

## Transportation Orders By Docket Number 22-TRAM-5001-TRA

Order Number	Description	Removed
20210706155637	<i>In the Matter of the Application of EB TRUCKING LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3657790 EB TRUCKING LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20210708112431	<i>In the Matter of the Application of C &amp; A FLOYD TRUCKING LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3619203 C & A FLOYD TRUCKING LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20210708131744	<i>In the Matter of the Application of TEAM1RV LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #2452392 TEAM1RV LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20210708143956	<i>In the Matter of the Application of HARTWICH FARMS LLC of WAMEGO KS for Authority for a Certificate of Public Service.</i> USDOT #3183451 HARTWICH FARMS LLC of WAMEGO KS - Order Granting Application for Certificate of Public Service	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of FITZGERALD TRUCKING INC of MINCO OK for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #766583 FITZGERALD TRUCKING INC of MINCO OK - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of HECTOR ALCALA GARCIA AND FREDDIE ALCALA GARCIA of SPEARVILLE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3438874 HECTOR ALCALA GARCIA AND FREDDIE ALCALA GARCIA of SPEARVILLE KS - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of 50 FIFTY LLC of LAKIN KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3069627 50 FIFTY LLC of LAKIN KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number  
22-TRAM-5001-TRA**

Order Number	Description	Removed
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of BARE GROUND MANAGEMENT LLC of ST JOHN KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3428347 BARE GROUND MANAGEMENT LLC of ST JOHN KS - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of JESSE GARCIA of SATANTA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3348114 JESSE GARCIA of SATANTA KS - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of CHASE ENERGY LLC of OSAWATOMIE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2843735 CHASE ENERGY LLC of OSAWATOMIE KS - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of NEXTGEN SERVICES LLC of ULYSSES KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2493855 NEXTGEN SERVICES LLC of ULYSSES KS - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of MILES EXCAVATING INC of BASEHOR KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #520961 MILES EXCAVATING INC of BASEHOR KS - Emergency Order Suspending Authority	
20210708151336	<i>In the Matter of the Emergency Suspension of Authority of BEN J SCHREINER CONSTRUCTION LLC of TOPEKA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #969356 BEN J SCHREINER CONSTRUCTION LLC of TOPEKA KS - Emergency Order Suspending Authority	
20210708152234	<i>In the Matter of the Application of OLD SKOOL TRANSPORTATION LLC of WILSEY KS for Authority for a Certificate of Public Service.</i> USDOT #3617505 OLD SKOOL TRANSPORTATION LLC of WILSEY KS - Order Granting Application for Certificate of Public Service	
20210708152314	<i>In the Matter of the Application of KJ TRANSPORT LLC of GARDNER KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3600190 KJ TRANSPORT LLC of GARDNER KS - Order Dismissing Application for Certificate of Public Service	
20210708152314	<i>In the Matter of the Application of ASCHENBRENNER TRUCKING INC of FREMONT IA Seeking Authority for a Certificate of Public Service.</i> USDOT #488500 ASCHENBRENNER TRUCKING INC of FREMONT IA - Order Dismissing Application for Certificate of Public Service	
20210708154151	<i>In the Matter of the Application of ACES TRUCKING LLC of VALLEY FALLS KS for Authority for a Certificate of Public Service.</i> USDOT #3593381 ACES TRUCKING LLC of VALLEY FALLS KS - Order Granting Application for Certificate of Public Service	



**Transportation Orders By Docket Number  
22-TRAM-5001-TRA**

Total # of Orders:

17

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  
22-TRAM-010-PEN**

Order Number	Description	Removed
21-1311	Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' Docket No. '22-TRAM-010-PEN' Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Mtango Logistics Inc	
21-1313	Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' Docket No. '22-TRAM-010-PEN' Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Wilson and Hills Family Business LLC	
21-1314	Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' Docket No. '22-TRAM-010-PEN' Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Nova Logistics LLC	
21-1318	Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' Docket No. '22-TRAM-010-PEN' Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees' 2020 UCR Penalty Order - Riverside Transportation LLC	

**Transportation Orders By Docket Number  
22-TRAM-010-PEN**

Order Number	Description	Removed
21-1321	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i>  <i>Docket No. '22-TRAM-010-PEN'</i>  <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i>                      2020 UCR Penalty Order - Rockstar Auto and Collision</p>	
21-1323	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i>  <i>Docket No. '22-TRAM-010-PEN'</i>  <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i>                      2020 UCR Penalty Order - Roger Holste</p>	
21-1325	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i>  <i>Docket No. '22-TRAM-010-PEN'</i>  <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2020 Unified Carrier Registration Fees'</i>                      2020 UCR Penalty Order - Ron Miller Trucking</p>	

Total # of Orders: 7

End of Report