

Kansas Corporation Commission
Commission Meeting
July 20, 2021
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 July 20, 2021, in the 1st 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 20, 2021, containing pages one through four attached to these Minutes. Chairperson French seconded the motion.

The motion was approved.

2. **Noticed Items:**

- A. **Docket No. 21-KGSG-332-GIG**

In the Matter of the Investigation into Kansas Gas Service Company, a Division of One Gas Inc. Regarding the February 2021 Winter Weather Events, as Contemplated by Docket No. 21-GIMX-303-MIS.

Commissioner Duffy moved for approval of Order #21-1380 – Order on Motion to Amend Protective Order; Order Directing the Parties to Submit a Proposed Procedural Schedule. Chairperson French seconded the motion.

The order was approved.

- B. **Docket No. 22-EKCE-013-COM**

In the Matter of the Formal Complaint Against Evergy Central by Joseph Joslin.

Chairperson French moved for approval of Order #21-1374 – Order on Prima Facie Determination. Commissioner Duffy seconded the motion.

The order was approved.

- C. **Docket No. 21-BHCG-054-GIP**

In the Matter of the Recommendation to Open a General Investigation into the Operations of Black Hills Energy Regarding a Natural Gas Incident that Occurred at 15th and Naismith, Lawrence, Kansas.

Chairperson French moved for approval of Order #21-1373 - Order. Commissioner Duffy seconded the motion.

The order was approved.

D. Docket No. 22-CONS-3016-CPEN

In the matter of the failure of Tailwater, Inc. (Operator) to comply with K.A.R. 82-3-407 at twenty-two wells on the North Kempnich, South Kempnich, West Wittman, Whiteside, Winfrey, and Wittman Leases in Anderson County, Kansas.

Chairperson French moved for approval of Order #21-1394 – Penalty Order – Tailwater, Inc. Commissioner Duffy seconded the motion.

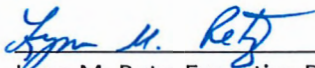
The order was approved.

3. Other Matters:

The Commission recognized Cheryl Boyer as KCC Employee of the Quarter and Gary Goeller on his retirement from state employment.

There being no further matters before the Commission, Commissioner Duffy moved for adjournment of the Commission meeting. Chairperson French seconded the motion. The motion was approved. The Commission adjourned the July 20, 2021 Commission Meeting at 10:36 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Andrew J. French, Chairperson



Susan K. Duffy, Commissioner



Dwight D. Keen, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, July 20, 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 Pantera Energy Company for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Owens A #5 well located in the SW/4 of Section 16, Township 29 South, Range 34 West, Haskell County, Kansas. <i>Order Granting Application</i>	21-CONS-3272-CEXC	
2	In the matter of the failure of Tailwater, Inc. (Operator) to comply with K.A.R. 82-3-120. <i>Penalty Order - Tailwater, Inc.</i>	22-CONS-3015-CPEN	
3	In the Matter of Petition of CenturyLink and Dex Media, Inc. for a Waiver of or Exemption from the Commission's Directive Regarding Distribution of Telephone Directories <i>Order Closing Docket</i>	16-UTDT-568-MIS	
4	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rates for Rate-of-Return Regulated Carriers for the Twenty-Third Year of the Kansas Universal Service Fund, Effective March 1, 2019. <i>Order Accepting Final Report</i>	19-GIMT-056-GIT	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	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. <i>Order Nunc Pro Tunc</i>	20-EKCE-406-ACA	
6	In the Matter of an Annual Compliance Docket for Electric Supply Line Filings <i>Order Closing Docket for FY 2021</i>	21-GIME-005-CPL	
7	In the Matter of the Audit of Spectrum Advanced Service LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. <i>Order Accepting and Adopting Compliance Report and Closing Docket</i>	21-SASV-063-KSF	
8	In the Matter of the Audit of Time Warner Cable Business LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. <i>Order Accepting and Adopting Compliance Report and Closing Docket</i>	21-TWBC-068-KSF	
9	In the Matter of the Complaint Against Evergy by Scott Worthey <i>Order Designating New Presiding Officer</i>	21-EKME-081-COM	
10	In the Matter of Blue Valley Tele-Communication Proposes to Revise the Exchange Boundary Between BLVT's Oketo Exchange and Windstream Nebraska's Liberty Exchange <i>Order Granting Revised Exchange Boundary</i>	21-BLVT-219-CXB	
11	In the Matter of the Application of Evergy Kansas Metro Inc. and Evergy Kansas Central Inc. Application for Approval of Transportation Electrification Portfolio <i>Order Rescheduling Prehearing Conference and Designating New Presiding Officer</i>	21-EKME-320-TAR	
12	In the Matter of the Investigation into Black Hills Kansas Gas Utility Company d/b/a Black Hills Energy Regarding the February 2021 Winter Weather Events, as Contemplated by Docket No. 21-GIMX-303-MIS. <i>Order Consolidating Dockets</i>	21-BHCG-334-GIG	
12	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. <i>Order Consolidating Dockets</i>	21-BHCG-370-MIS	
13	In the Matter of the Application of Western Cooperative Electric Association, Inc. Seeking Commission Approval to Update Its Local Access Delivery Service Tariff Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. SEPE-049-TAR. <i>Order Designating New Presiding Officer</i>	21-WSTE-404-TAR	
14	In the Matter of the Application of Bluestem Electric Cooperative, Inc., for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility, Specifically in a Portion of Section 30, Township 09 South, Range 09 East Located in Pottawatomie County, Kansas <i>Order and Certificate</i>	21-BECE-407-COC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Consolidated Formula Based Ratemaking Plan Approved in Docket No. 19-SPEE-240-MIS and Implementation of Rate Adjustment Pursuant to Docket No. 20-SPEE-169-RTS. <i>Order Designating New Presiding Officer</i>	21-SPEE-411-RTS	
16	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy, for Approval of the Commission to Make Certain Changes in its Rates for Natural Gas Service. <i>Order Designating New Presiding Officer</i>	21-BHCG-418-RTS	
17	In the Matter of the Application of Evergy Kansas Central, Inc. for Authority to Cease Transacting the Business of an Electric Public Utility Specifically in Section 30, Township 09 South, Range 09 East in Pottawatomie County, Kansas <i>Order Granting Application to Cease Transacting the Business of an Electric Public Utility</i>	21-EKCE-424-CCS	
18	In the Matter of the Application of Haviland Telephone Company, Inc. Tariff Revisions Billing & Collection <i>Order Approving Tariff Revisions</i>	21-HVDT-445-TAR	
19	In the Matter of a General Investigation for Kynect Communications, LLC to Show Cause Why This Commission Should Not Levy Sanctions, Penalties, and Fines for Non-Compliance with Kansas Statutes and Commission Orders <i>Order to Show Cause</i>	22-KYNZ-015-SHO	
20	In the Matter of the Windstream Services, LLC Response to Blue Valley Tele-Communications Request to Revise Exchange Boundary Between BLVT's Oketo Exchange Winstream Nebraska, Inc. Liberty Exchange <i>Order Granting Revised Exchange Boundary</i>	22-WMNT-016-CXB	
21	In the Matter of an Annual Compliance Docket for Electric Supply Line Filings <i>Order Opening Docket for FY 2022 Electric Supply Line Filings</i>	22-GIME-017-CPL	
22	In the Matter of the Application of Ark Valley Electric Coop. Assn. Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. NW 4 NE 4 SEC 18 T 22S R 5W <i>Order Assessing Costs</i>	22-AKVE-019-COC	
23	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5003-TRA	

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

For the Commission :



Andrew J. French, Chairperson

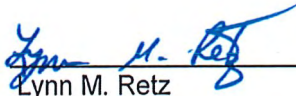


Dwight D. Keen, Commissioner



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-5003-TRA

Order Number	Description	Removed
20210713114148	<i>In the Matter of the Application of MAST HAY GRINDING LLC of PLAINS KS for Authority for a Certificate of Public Service.</i> USDOT #3668264 MAST HAY GRINDING LLC of PLAINS KS - Order Granting Application for Certificate of Public Service	
20210714074951	<i>In the Matter of the Application of LOAD POINT TRANSPORT LLC of TOPEKA KS for Authority for a Certificate of Public Service.</i> USDOT #3642590 LOAD POINT TRANSPORT LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	
20210714160245	<i>In the Matter of the Emergency Suspension of Authority of GC CORP of BARNES KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1705683 GC CORP of BARNES KS - Emergency Order Suspending Authority	
20210714160246	<i>In the Matter of the Emergency Suspension of Authority of CENTRAL MARKETING INC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1056331 CENTRAL MARKETING INC of WICHITA KS - Emergency Order Suspending Authority	
20210714160445	<i>In the Matter of the Application of WESTPORT CARRIERS INC of OVERLAND PARK KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3606458 WESTPORT CARRIERS INC of OVERLAND PARK KS - Order Dismissing Application for Certificate of Public Service	
20210714160934	<i>In the Matter of the Application of LIVESTOCK FORAGE SERVICES LLC of IOLA KS for a Private Carrier Permit.</i> USDOT #3374602 LIVESTOCK FORAGE SERVICES LLC of IOLA KS - Order Granting Application for a Private Carrier Permit	
20210715101623	<i>In the Matter of the Application of BREFELDT LLC of DODGE CITY KS for a Private Carrier Permit.</i> USDOT #3291737 BREFELDT LLC of DODGE CITY KS - Order Granting Application for a Private Carrier Permit	

**Transportation Orders By Docket Number
22-TRAM-5003-TRA**

Order Number	Description	Removed
20210715122106	<i>In the Matter of the Application of CARL OCHS LTD of HOXIE KS for Authority for a Certificate of Public Service.</i> USDOT #1261805 CARL OCHS LTD of HOXIE KS - Order Granting Application for Certificate of Public Service	
20210715145146	<i>In the Matter of the Application of 316 BLESSED TRANSPORT LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3654574 316 BLESSED TRANSPORT LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 9

End of Report