

Kansas Corporation Commission
Commission Meeting
September 30, 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 September 30, 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 September 30, 2021, containing pages one through four and are attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Noticed Item:**

Docket No. 22-CONS-3116-CUIC

In the matter of the application of Robinette Oil Company for a permit to authorize the injection of saltwater into the McLouth formation at the Demaranville #9-3 well in Section 3, Township 9 South, Range 20 East, Leavenworth County, Kansas.

Commissioner Duffy moved for approval of order # 21-2104 – Order Dismissing the Protest. 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 September 30, 2021, Commission Meeting at 10:04 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Susan K. Duffy, Commissioner



Andrew J. French, Chairperson



Dwight D. Keen, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, September 30, 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 Staab Oil Co., a General Partnership, for an order granting a well location exception and assigning a full allowable for the Brin #1 well located in the N2 NW/4 NE/4 of Section 28, Township 8, Range 18 West, Rooks County, Kansas. <i>Order Nunc Pro Tunc</i>	21-CONS-3303-CWLE	
2	In the matter of the application of Beren Corporation for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Lois #5 well located in the SW NW SW NW of Sec 9, T35S, R12W, Barber County, Kansas. <i>Order Granting Application</i>	22-CONS-3022-CEXC	
3	In the matter of the application of Berexco LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Grace B #2-10 well located in the SE NE SE of Sec. 10, T34S, R38W, Stevens County, Kansas <i>Order Granting Application</i>	22-CONS-3100-CEXC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the matter of the failure of Wynn-Crosby Operating, Ltd. (Operator) to comply with K.A.R. 82 3 111 at the Oliver Ray #3 well in Haskell County, Kansas. <i>Penalty Order - Wynn-Crosby Operating, Ltd.</i>	22-CONS-3145-CPEN	
5	In the matter of the failure of Apollo Energies, Inc. (Operator) to comply with K.A.R. 82 3 111 at the Hallman #1 and Shoemake #5 wells in Harper and Pawnee Counties, Kansas <i>Penalty Order - Apollo Energies, Inc.</i>	22-CONS-3146-CPEN	
6	In the matter of the failure of Max R. Koehn (Operator) to comply with K.A.R. 82 3 111 at the Longwood #1 well in Haskell County, Kansas. <i>Penalty Order - Max R. Koehn</i>	22-CONS-3147-CPEN	
7	In the matter of the failure of Relative Energy, Inc. (Operator) to comply with K.A.R. 82 3 111 at the Sidney Johnson Trust #1 well in McPherson County, Kansas. <i>Penalty Order - Relative Energy, Inc.</i>	22-CONS-3148-CPEN	
8	In the Matter of a General Investigation to Address Issues Concerning the Kansas Lifeline Service Program. <i>Order Waiving KLSP Recertification and Reverification Rules and Revising Income Documentation Requirement Until December 31, 2021</i>	16-GIMT-575-GIT	
9	In the Matter of the Application of The Empire District Electric Company for an Accounting Authority Order Allowing The Empire District Electric Company to Record and Preserve Costs and Lost Revenues Related to the COVID-19 Virus. <i>Order Designating Presiding Officer and Granting Empire's Motion to Extend Stay</i>	20-EPDE-427-ACT	
10	In the Matter of the Application of The Empire District Electric Company for Approval of Temporary Waivers of Certain of Empire's Tariffs and for Approval of a Process to Implement Temporary Waivers of Certain Other Rules and Regulations, Billing Standards, General Terms and Conditions and to Allow Operating Changes to Address the COVID-19 Pandemic <i>Order Designating Presiding Officer and Granting Empire's Motion to Extend Stay</i>	20-EPDE-448-MIS	
11	In the Matter of the Audit of Sprint Communications Company LP 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-SCCC-065-KSF	
12	In the Matter of the Application and Request of Craw-Kan Telephone Cooperative, Inc., for an Increase in its Cost-Based Universal Service Fund Support. <i>Nunc Pro Tunc Order Designating Presiding Officer; Establishing Procedural Schedule; Protective/Discovery Order</i>	22-CRKT-087-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Petition of Every Kansas Central, Inc. and Every Kansas South, Inc. for Determination of the Ratemaking Principles and Treatment that will Apply to the Recovery in Rates of the Cost to be Incurred for Certain Electric Generation Facilities Under K.S.A. 66-1239. <i>Order Setting Procedural Schedule</i>	22-EKCE-141-PRE	
14	In the Matter of the Application of United Telephone Association Filing Tariff Revisions to its General Exchange Tariff Part 2 Table of Contents and New Service Offering. <i>Order Assessing Costs</i>	22-UTAT-147-TAR	
15	In the Matter of the Application of Every Kansas Central, Inc. for Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Defined as the Marshall County Transmission Line WR#M102014891 in Marshall County, Kansas. <i>Order Assessing Costs</i>	22-EKCE-149-COC	
16	In the Matter of the Investigation into Certain Motor Carriers for Failure to Pay Their 2020 Unified Commercial Registration Fees <i>Kactus K Trucking LLC - Order Reinstating Intrastate Motor Carrier Operations</i>	21-TRAM-400-PEN	
17	In the Matter of the Investigation of Certain Motor Carriers for Failure to Pay Their 2020 Unified Commercial Registration Fees. <i>Order to Vacate Penalty Order and Reinstate Carrier - M&V Express</i>	21-TRAM-405-PEN	
18	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay 2020 Unified Carrier Registration Fees <i>Kustom Concepts - Order to Reinstate and Vacate Penalty Order</i>	21-TRAM-473-PEN	
19	In the Matter of the Investigation of Power Cat Transportation LLC, of 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-148-PEN	
20	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5022-TRA	
21	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees <i>2021 UCR Penalty Orders</i>	22-TRAM-144-PEN	

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

For the Commission :

Andrew J. French

Andrew J. French, Chairperson

[Signature]

Dwight D. Keen, Commissioner

Susan K. Duffy

Susan K. Duffy, Commissioner

Attest:

Lynn M. Retz

Lynn M. Retz
Executive Director

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

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

Laura Kelly, Governor

Transportation Orders By Docket Number 22-TRAM-5022-TRA

Order Number	Description	Removed
20210924132505	<i>In the Matter of the Emergency Suspension of Authority of HECKMANN WATER RESOURCES CVR INC of HOUSTON TX for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1331300 HECKMANN WATER RESOURCES CVR INC of HOUSTON TX - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20210924145200	<i>In the Matter of the Application of A1 AUTO AND TOWING LLC of KINGMAN KS for the Abandonment of Certificate of Public Service.</i> USDOT #2836153 A1 AUTO AND TOWING LLC of KINGMAN KS - Order Granting Request for Abandonment for Certificate of Public Service	
20210927135653	<i>In the Matter of the Application of ALONSO ESPINO ARCHAN of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #2277926 ALONSO ESPINO ARCHAN of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20210927142033	<i>In the Matter of the Application of WELCHS TOWING LLC of TOPEKA KS for Authority for a Certificate of Public Service.</i> USDOT #3232781 WELCHS TOWING LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 4

End of Report

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

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

Laura Kelly, Governor

Transportation Orders By Docket Number 22-TRAM-144-PEN

Order Number	Description	Removed
21-2017	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - A&R Specialized</p>	
21-2019	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Big Dawg Carriers Inc</p>	
21-2021	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Conejo Roofing</p>	
21-2023	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Dustin G. Warner</p>	

**Transportation Orders By Docket Number
22-TRAM-144-PEN**

Order Number	Description	Removed
21-2024	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - The Estes Company LLC</p>	
21-2027	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Fischer Brothers LLC</p>	
21-2030	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Fox Transport LLC</p>	
21-2032	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Harney Transportation LLC</p>	
21-2034	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - HK Rush Farms Inc</p>	
21-2038	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Joaquin Rincon</p>	

Transportation Orders By Docket Number
22-TRAM-144-PEN

Order Number	Description	Removed
21-2041	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Koster Constructin Inc</p>	
21-2044	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Meyer Ag LLC</p>	
21-2046	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Scalene Services LLC</p>	
21-2048	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Solis Underground Construction LLC</p>	
21-2050	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Steve E. Rofkahr</p>	
21-2052	<p><i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - R&R Lawn and Landscape</p>	

**Transportation Orders By Docket Number
22-TRAM-144-PEN**

Order Number	Description	Removed
21-2054	<i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Frager Farms	
21-2056	<i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Jeremy Greenfield	
21-2058	<i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - GH Store Six LLC	
21-2060	<i>Order for Docket 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees '</i> <i>Docket No. '22-TRAM-144-PEN'</i> <i>Synopsis: 'In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees'</i> UCR Penalty - Precision Plumbing LLC	

Total # of Orders: 20

End of Report