

**Kansas Corporation Commission  
Commission Meeting**

**October 7, 2021**

10:01 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 10:01 a.m. on October 7, 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:** Chairperson French moved for approval of the Items on the Consent Agenda dated October 7, 2021, containing pages one through four and attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Other Matter:**

- A. Chairperson French moved to meet in Executive Session for a period of 45 minutes to discuss Attorney/Client privileged matters, pursuant to K.S.A. 75-4319(b)(2), for consultation with an attorney, to obtain legal advice regarding litigation. Also called into the Executive Session were the following: Terri Pemberton, Chief Litigation Counsel; Cole Bailey, Litigation Counsel; Jeff McClanahan, Director, Utilities Division; Justin Grady, Utilities Division Chief Auditor; Jason Gray, D.C. counsel.

Commissioner Keen seconded the motion. The motion was approved. The Commission will reconvene online at 10:50 a.m. and the Commissioners moved into a secure break-out room.

The Commission moved into Executive Session at 10:05 a.m. and reconvened online in public session at 10:50 a.m.

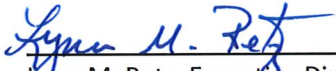
The Commission took no action during the Executive Session.

Chairperson French moved the Commission to authorize the D.C. counsel to file a doc-less Motion to Intervene in FERC Docket No. RM21-17, to file comments, and to take such action therein as necessary to protect the interests of Kansas ratepayers. Commissioner Keen seconded the motion.

The motion was approved.


There being no further matters before the Commission, Commissioner Keen moved for adjournment of the Commission meeting. Chairperson French seconded the motion. The motion was approved. The Commission adjourned the October 7, 2021, Commission Meeting at 10:53 a.m.

Respectfully submitted,

  
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Lynn M. Retz, Executive Director

  
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Susan K. Duffy, Commissioner

  
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Andrew J. French, Chairperson

  
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Dwight D. Keen, Commissioner

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

Laura Kelly, Governor

**Motion to File Doc-Less Intervention & Comments to Protect Interests of Kansas Ratepayers  
FERC Docket No. RM21-17**

**Date:** October 7, 2021

**Docket No:** RM21-17

**Background:**

On July 15, 2021, the Federal Energy Regulatory Commission (FERC) filed an Advanced Notice of Proposed Rulemaking (ANOPR) where FERC asks for comments on reforms to incorporate generator interconnection issues into regional transmission planning processes and also to spread the costs of generator interconnection facilities across a region.

Motions to intervene, as well as comments are due Tuesday, October 12, 2021. Commission Staff believes it would be a benefit to Kansas to file comments in this docket. Filing a Doc-less Motion to Intervene and comments ensures this Commission remains informed of the docket's developments, and further preserves this Commission's ability to protect the interest of Kansas ratepayers

I recommend the Commission authorize our D.C. counsel to file a Doc-less Motion to Intervene and file comments in FERC Docket No. RM21-17.

Respectfully,

Cole Bailey

**Motion:**

I move the Commission authorize our D.C. counsel to file a Doc-less Motion to Intervene in FERC Docket No. RM21-17, to file comments, and to take such action therein as necessary to protect the interests of Kansas ratepayers.



# ITEMS OF Consent Agenda

Approval Date: Thursday, October 7, 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 Audit of Sprint Spectrum by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A 2015 Supp. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020 <i>Order Extending Time to Comply</i>	21-SSLZ-056-KSF	
2	In the Matter of the Joint Application of Evergy Kansas Metro and Evergy Kansas Central for Authority of a Written Territorial Agreement Designating the Boundaries of Each Utility Specifically in a Portion of Section 33, Township 12 South, Range 23 East, in Prairie View at Creekside Woods Third Plat in Johnson County, Kansas <i>Order Granting Application to Cease Transacting the Business of an Electric Public Utility</i>	22-EKME-099-CCS	
3	In the Matter of the Application of Evergy Kansas Central, Inc. for Authority to Transact the Business of an Electric Public Utility Specifically, in a Portion of Section 33, Township 12 South, Range 23 East, in Prairie View at Creekside Woods Third Plat in Johnson County, Kansas. <i>Order Assessing Costs</i>	22-EKCE-110-COC	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Everyy Kansas Central, Inc. for Authority to Transact the Business of an Electric Public Utility Specifically, in a Portion of Section 33, Township 12 South, Range 23 East, in Prairie View at Creekside Woods Third Plat in Johnson County, Kansas. <i>Order and Certificate</i>	22-EKCE-110-COC	
5	In the Matter of the Application of Everyy Kansas Central, Inc. for Authority to Cease Transacting the Business of an Electric Public Utility Specifically, in Section 34, Township 21 South, Range 02 West in McPhersons County, Kansas. <i>Order Assessing Costs</i>	22-EKCE-157-CCS	
6	In the Matter of the Application of Kaw Pipe Line Company for Permission to Cease Operating as a(n) Liquids Pipeline Common Carrier in the State of Kansas. For Specified Routes in Ellis County. <i>Order Assessing Costs</i>	22-JYHP-161-CCS	
7	In the Matter of the Investigation of Beacon Contracting LLC, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	22-DPAX-155-PEN	
8	In the Matter of the Investigation of Rolling Meadows Landscape Inc., Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	22-DPAX-156-PEN	
9	In the Matter of the Investigation of Midwest Crane & Rigging LLC of St. Joseph, Missouri, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation for 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>Order Approving Unanimous Settlement Agreement</i>	21-GIMM-319-KHP	
10	In the Matter of the Investigation of Rene E. Reyes, d/b/a DM Express 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. <i>Order Suspending Intrastate Motor Carrier Operating Authority</i>	21-TRAM-393-PEN	
11	In the Matter of the Emergency Suspension of Operating Authority of RLM Underground LLC, of Olathe, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. <i>Order Reinstating Motor Carrier Operating Authority</i>	22-TRAM-096-OOS	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
12	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees <i>Order Vacating Penalty Order - John Clem Trucking</i>	22-TRAM-137-PEN	
13	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees <i>Order Vacating Penalty Order - The Estes Company LLC</i>	22-TRAM-144-PEN	
14	In the Matter of the Emergency Suspension of Operating Authority of P and P Logistics LLC, of Wichita, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	22-TRAM-158-OOS	
15	In the Matter of the Investigation of Farmers Union Mercantile and Shipping Association of Stockton, 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-159-PEN	
16	In the Matter of the Investigation of Foley Equipment Company, 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-160-PEN	
17	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5024-TRA	

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

For the Commission :

*Andrew J. French*

Andrew J. French, Chairperson

*Dwight D. Keen*

Dwight D. Keen, Commissioner

*Susan K. Duffy*

Susan K. Duffy, Commissioner

Attest:

*Lynn M. Retz*  
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-5024-TRA

Order Number	Description	Removed
20211004123339	<i>In the Matter of the Application of JNL TRUCKING LLC of CHASE KS for Authority for a Certificate of Public Service.</i> USDOT #3719950 JNL TRUCKING LLC of CHASE KS - Order Granting Application for Certificate of Public Service	
20211004153559	<i>In the Matter of the Application of FUSIONFAST EXPRESS LLC of TOPEKA KS for Authority for a Certificate of Public Service.</i> USDOT #3712265 FUSIONFAST EXPRESS LLC of TOPEKA KS - Order Granting Application for Certificate of Public Service	
20211004155228	<i>In the Matter of the Application of QUINTAIROS TRUCKING LLC of LIBERAL KS for Authority for a Certificate of Public Service.</i> USDOT #3504753 QUINTAIROS TRUCKING LLC of LIBERAL KS - Order Granting Application for Certificate of Public Service	
20211004155231	<i>In the Matter of the Application of QUINTAIROS TRUCKING LLC of LIBERAL KS for Authority for a Certificate of Public Service.</i> USDOT #3504753 QUINTAIROS TRUCKING LLC of LIBERAL KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 4

End of Report