

**Kansas Corporation Commission**

**Commission Meeting**

**October 21, 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 October 21, 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 October 21, 2021, containing pages one through two attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Noticed Items:**

- A. **Docket No. 22-KGSG-053-COM**

*In the Matter of the Complaint Against Kansas Gas Service, a Division of ONE Gas, Inc., by Members of the Catholic Diocese of Wichita, Kansas.*

Commissioner Duffy moved for approval of Order #21-2286 – Order on Prima Facie Determination. Commissioner Keen seconded the motion.

The order was approved.

- B. **Docket No. 22-KGSG-018-COM**

*In the Matter of the Complaint Against Kansas Gas Service, a Division of ONE Gas, Inc. by Central Christian Church of Wichita, Kansas.*

Commissioner Duffy moved for approval of Order #21-2287 – Order on Prima Facie Determination; Granting Intervention in the 21-KGSG-332-GIG Docket. Commissioner Keen seconded the motion.

The order was approved.

**C. Docket No. 22-KGSG-052-COM**

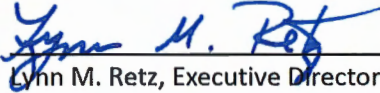
*In the Matter of the Formal Complaint Against Kansas Gas Service, a division of ONE Gas, Inc. by Foley Equipment Company and Foley Rebuild Center, LLC.*

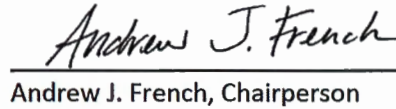
Commissioner Duffy moved for approval of Order # 21-2288 – Order on Prima Facie Determination; Granting Intervention in the 21-KGSG-332-GIG Docket. Commissioner Keen seconded the motion.

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 October 21, 2021 Commission Meeting at 10:15 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

  
\_\_\_\_\_  
Dwight D. Keen, Commissioner



## ITEMS OF Consent Agenda

Approval Date: Thursday, October 21, 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 Beren Corporation for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its NRSU #4 well located in the SE NE NE of Sec. 25, Township 27 South, Range 13 West, Pratt County, Kansas. <i>Order Granting Application</i>	22-CONS-3129-CEXC	
2	In the Matter of Certain Motor Carriers for Failure to Pay 2020 Unified Carrier Registration Fees <i>Order Granting Staff's Motion to Reinstate Motor Carrier Operations and Vacate Penalty Order</i>	21-TRAM-455-PEN	
3	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees <i>Don Wasyk - Order Vacating Penalty Order</i>	22-TRAM-137-PEN	
4	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees <i>Order Granting Staff's Motion to Vacate Penalty Order - Duhe Transportation</i>	22-TRAM-152-PEN	

**Consent Agenda**

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Investigation of Gary Alford d/b/a Alford Towing, of Galena, 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-180-PEN	
6	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-169-PEN	
7	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5028-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

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 22-TRAM-5028-TRA

Order Number	Description	Removed
20211014165808	<i>In the Matter of the Application of GUADALUPE HERNANDEZ AND ANGELICA MARTINEZ REYES of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3215911 GUADALUPE HERNANDEZ AND ANGELICA MARTINEZ REYES of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20211014170055	<i>In the Matter of the Application of CARMEN JOEL ENRIQUEZ ENRIQUEZ of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3084558 CARMEN JOEL ENRIQUEZ ENRIQUEZ of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20211014170648	<i>In the Matter of the Application of ANDREWS TOW AND RECOVERY LLC of GRAIN VALLEY MO for Authority for a Certificate of Public Service.</i> USDOT #2927012 ANDREWS TOW AND RECOVERY LLC of GRAIN VALLEY MO - Order Granting Application for Certificate of Public Service	
20211015110023	<i>In the Matter of the Application of MC ELECTRICAL CONTRACTORS LLC of BERRYTON KS for Authority for a Certificate of Public Service.</i> USDOT #3702116 MC ELECTRICAL CONTRACTORS LLC of BERRYTON KS - Order Granting Application for Certificate of Public Service	
20211015164157	<i>In the Matter of the Application of DUHE TRANSPORTATION LLC of BURDETT KS for a Private Carrier Permit.</i> USDOT #3321523 DUHE TRANSPORTATION LLC of BURDETT KS - Order Granting Application for a Private Carrier Permit	
20211015164200	<i>In the Matter of the Application of DUHE TRANSPORTATION LLC of BURDETT KS for Authority for a Certificate of Public Service.</i> USDOT #3321523 DUHE TRANSPORTATION LLC of BURDETT KS - Order Granting Application for Certificate of Public Service	
20211015165610	<i>In the Matter of the Emergency Suspension of Authority of MAST TRUCKING INC of COPELAND KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1915879 MAST TRUCKING INC of COPELAND KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	

**Transportation Orders By Docket Number  
22-TRAM-5028-TRA**

Order Number	Description	Removed
20211016163531	<i>In the Matter of the Application of ALDENI TRANS LLC of OVERLAND PARK KS for the Abandonment of Certificate of Public Service.</i> USDOT #1694987 ALDENI TRANS LLC of OVERLAND PARK KS - Order Granting Request for Abandonment for Certificate of Public Service	
20211018080109	<i>In the Matter of the Application of LOADED WAGON LLC of HOLCOMB KS for Authority for a Certificate of Public Service.</i> USDOT #3707664 LOADED WAGON LLC of HOLCOMB KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 9

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-169-PEN

Order Number	Description	Removed
21-2228	<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> Docket No. '22-TRAM-169-PEN' <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 - Damewood Technologies	
21-2230	<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> Docket No. '22-TRAM-169-PEN' <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 - J'Luke Holdings LLC	
21-2232	<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> Docket No. '22-TRAM-169-PEN' <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 - Campbell Moving and Storage Inc	
21-2234	<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> Docket No. '22-TRAM-169-PEN' <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 - Perry's Tire and Supply	

**Transportation Orders By Docket Number  
22-TRAM-169-PEN**

Order Number	Description	Removed
21-2236	<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-169-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 - Josa Joya Siding & Roofing LLC	
21-2238	<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-169-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 - Thunder Abatement LLC	

Total # of Orders: 6

End of Report