

Kansas Corporation Commission
Commission Meeting
November 30, 2021
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 SW Arrowhead Rd., Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on November 30, 2021, in the 1st floor hearing room of the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

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

1. **Consent Agenda:** Chairperson French stated that it was requested that Item #1 on the Consent Agenda, Docket No. 21-CONS-3096-CMSC, be pulled from the agenda without action. Item #1 was removed. Commissioner Duffy moved for approval of the remaining Items on the Consent Agenda dated November 30, 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-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 #21-2680 – Order Amending Procedural Schedule for Financial Plan. Commissioner Keen seconded the motion.

The order was approved.

- B. **Docket No. 22-KCKE-230-COM**

In the Matter of the Complaint Against Kansas City Board of Public Utilities by Scott W. Plummer.

Commissioner Duffy moved for approval of Order #21-2664 – Order on Prima Facie Determination. Commissioner Keen seconded the motion.

The order was approved.

C. Docket No. 21-ATMG-100-TAR

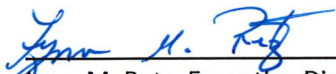
In the Matter of the Application of Atmos Energy Corporation for Approval of a Credit to Customers to Comply with House Bill 2585.

Commissioner Duffy moved for approval of Order # 21-2671 – Order Approving Tariff.
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 November 30, 2021 Commission Meeting at 10:17 a.m.

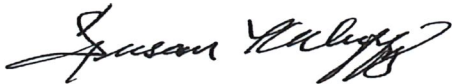
Respectfully submitted,



Lynn M. Retz, Executive Director



Andrew J. French, Chairperson



Susan K. Duffy, Commissioner



Dwight D. Keen, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, November 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 a Compliance Agreement between Todd Miller dba Speedy Well Service (Operator) and Commission Staff regarding bringing 175 wells into compliance with K.A.R. 82-3-111. <i>Order Approving Addition of Wells and Extension of Final Deadline</i>	21-CONS-3096-CMSC	✓
2	In the matter of the failure of Linda Birk (Operator) to comply with K.A.R. 82 3 111 at the Schiffer #1 well in Coffey County, Kansas. <i>Order Rescinding Penalty Order</i>	22-CONS-3189-CPEN	
3	In the matter of the failure of ELM III Operating Company, LLC (Operator) to comply with K.A.R. 82 3 111 at the Rich Witcher #1-29 well in Morton County, Kansas. <i>Penalty Order - ELM III Operating Company, LLC</i>	22-CONS-3218-CPEN	
4	In the matter of the failure of Hummon Corporation (Operator) to comply with K.A.R. 82 3 111 at the Reiss #2-14 well in Seward County, Kansas. <i>Penalty Order - Hummon Corporation</i>	22-CONS-3221-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of Kodiak Petroleum, Inc. (Operator) to comply with K.A.R. 82 3 111 at the Taylor #1-24 well in Edwards County, Kansas. Penalty Order - Kodiak Petroleum, Inc.	22-CONS-3222-CPEN	
6	In the matter of the failure of LB Exploration, Inc. (Operator) to comply with K.A.R. 82 3 111 at the Hopkin's Ranch 31 #1 well in Barber County, Kansas. Penalty Order - LB Exploration, Inc.	22-CONS-3223-CPEN	
7	In the matter of the failure of NPF Energy Corporation (Operator) to comply with K.A.R. 82 3 111 at the Keller #1 well in Stafford County, Kansas. Penalty Order - NPF Energy Corporation	22-CONS-3224-CPEN	
8	In the Matter of the Notification of the Merger of TCG Kansas City, Inc. and Teleport Communications America, LLC, Request for Transfer of Existing Certificates of Public Convenience and Necessity; and Application for Issuance of a Certificate of Public Convenience and Necessity to Teleport Communications America, LLC to Operate as a Provider of Telecommunications Services Within the State of Kansas. Order Granting Enlargement of Time to File Response to RLEC Petitions	13-TCAT-374-COC	
9	In the Matter of the Application of Atmos Energy for Approval of the Commission for Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204. Order Granting CURB Petition to Intervene and Motion for Protective Order and Discovery Order	22-ATMG-203-TAR	
10	In the Matter of the Application of JMZ Corporation's Kansas Video Service Authorization Initial Application Order Approving Video Service Authorization	22-JMZZ-206-VSA	
11	In the Matter of the Application of DSO Electric Cooperative, Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. Specifically in Section 10, Township 16 South, Range 04 West in Saline County, KS. Order Assessing Costs	22-DSOE-229-COC	
12	In the Matter of the Application of Business Telecom, LLC' Notice to Request to Withdraw Certification (IXC) Order Assessing Costs	22-BTMC-231-CCS	
13	In the Matter of the Application of Business Telecom, LLC Request to Withdraw Certification (CLEC) Order Assessing Costs	22-BTMT-232-CCS	
14	In the Matter of Rural Telephone Service Co., Inc. Filing Tariff Revisions to Increase on Premise Labor Charge for Basic Time, Overtime and Premium Time in Residential and Business Rate. Order Assessing Costs	22-RRLT-233-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	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 - Special Product Company</i>	22-TRAM-176-PEN	
16	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 - Fibore Construction and Consulting LLC</i>	22-TRAM-177-PEN	
17	In the Matter of the Investigation of Russell Peterson, of Randolph, 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 Approving Unanimous Settlement Agreement</i>	22-TRAM-181-PEN	
18	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 - CPL Services LLC</i>	22-TRAM-182-PEN	
19	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 - AFG Express LLC</i>	22-TRAM-182-PEN	
20	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5037-TRA	
21	In the Matter of the Investigation of Blueprint Construction LLC, of Leawood, Kansas, Regarding the Violation(s) of the 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>2021 UCR Penalty Order</i>	22-TRAM-227-PEN	
22	In the Matter of the Investigation of Safari Transportation LLC, of Overland Park, Kansas, Regarding the Violation(s) of the 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>2021 UCR Penalty Order</i>	22-TRAM-228-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

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



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-5037-TRA

Order Number	Description	Removed
20211122114346	<i>In the Matter of the Application of JOSE ALVIDREZ BARRAZA of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3460055 JOSE ALVIDREZ BARRAZA of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
20211123105528	<i>In the Matter of the Application of 3E TRANSPORT LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3734122 3E TRANSPORT LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20211123122921	<i>In the Matter of the Application of TOJO TRUCKING LLC of CLAYTON KS for Authority for a Certificate of Public Service.</i> USDOT #3760581 TOJO TRUCKING LLC of CLAYTON KS - Order Granting Application for Certificate of Public Service	
20211123144357	<i>In the Matter of the Application of SAW LOG TRUCK SERVICE LLC of HANSTON KS for Authority for a Certificate of Public Service.</i> USDOT #3473937 SAW LOG TRUCK SERVICE LLC of HANSTON KS - Order Granting Application for Certificate of Public Service	
20211123153001	<i>In the Matter of the Application of HETT CONSTRUCTION LLC of MARION KS Seeking a Permit of Private Authority.</i> USDOT #1984083 HETT CONSTRUCTION LLC of MARION KS - Order Dismissing Application for Permit of Private Authority	
20211123153001	<i>In the Matter of the Application of HEART CROSS RANCH TRUCKING LLC of LOGAN KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3707021 HEART CROSS RANCH TRUCKING LLC of LOGAN KS - Order Dismissing Application for Certificate of Public Service	
20211123153002	<i>In the Matter of the Emergency Suspension of Authority of DIAMOND D ENTERPRISES LLC of HAYS KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2381831 DIAMOND D ENTERPRISES LLC of HAYS KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number
22-TRAM-5037-TRA**

Order Number	Description	Removed
20211123153002	<i>In the Matter of the Emergency Suspension of Authority of AB TRUCKING INC of SALINA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3598844 AB TRUCKING INC of SALINA KS - Emergency Order Suspending Authority	
20211123153002	<i>In the Matter of the Emergency Suspension of Authority of G&W TRUCKING LLC of GYPSUM KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2960020 G&W TRUCKING LLC of GYPSUM KS - Emergency Order Suspending Authority	
20211123153002	<i>In the Matter of the Emergency Suspension of Authority of CIRCLE C COUNTRY SUPPLY INC of BAZINE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2127579 CIRCLE C COUNTRY SUPPLY INC of BAZINE KS - Emergency Order Suspending Authority	
20211123153002	<i>In the Matter of the Emergency Suspension of Authority of GABLE TRUCKING LLC of CLEARWATER KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2785009 GABLE TRUCKING LLC of CLEARWATER KS - Emergency Order Suspending Authority	
20211123153002	<i>In the Matter of the Emergency Suspension of Authority of NORTONS TRANSPORT AND TOWING LLC of OLATHE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2977230 NORTONS TRANSPORT AND TOWING LLC of OLATHE KS - Emergency Order Suspending Authority	
20211123161701	<i>In the Matter of the Application of ANDOLID TENA-AVALOS of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3142989 ANDOLID TENA-AVALOS of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20211124094039	<i>In the Matter of the Application of ARMANDO REYES of JOHNSON KS for Authority for a Certificate of Public Service</i> USDOT #3742807 ARMANDO REYES of JOHNSON KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 14

End of Report