

Kansas Corporation Commission
Commission Meeting
December 7, 2021
9:00 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 9:00 a.m. on December 7, 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:** Commissioner Duffy moved for approval of the Items on the Consent Agenda dated December 7, 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. 22-SEPE-154-CON**

In the Matter of the Joint Application of Sunflower Electric Power Corporation and Wheatland Electric Cooperative, Inc. for Approval of Special Contract.

Commissioner Duffy moved for approval of Order #21-2700 – Order Adopting Staff’s Report and Recommendation. Commissioner Keen seconded the motion.

The order was approved.

- B. **Docket No. 22-TRAM-234-PEN**

In the Matter of the Investigation of Eagles Trucking LLC, of Lakin, 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.

Commissioner Duffy moved for approval of Order # 21-2701 – Penalty Order. Commissioner Keen seconded the motion.

The order was approved.

C. Docket No. 22-TRAM-240-PEN

In the Matter of the Investigation of DAC Trucking LLC, of Great Bend, 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.

Commissioner Duffy moved for approval of Order # 21-2702 – Penalty Order.
Commissioner Keen seconded the motion.

The order was approved.

D. Docket No. 22-CONS-3233-CPEN


In the matter of the failure of Somerset Energy Enterprises, LLC (Operator) to comply with K.A.R. 82-3-407 at seven wells in Franklin County, Kansas.

Commissioner Duffy moved for approval of Order # 21-2719 – Penalty Order – Somerset Energy Enterprises, LLC. 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 December 7, 2021 Commission Meeting at 9:22 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, December 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 Application of EB Consulting and Production, LLC (Operator) for an Operator's License. <i>Order Approving Settlement Agreement</i>	22-CONS-3135-CMSC	
2	In the matter of the failure of Southwind Petroleum Corp. (Operator) to comply with K.A.R. 82 3 111 at the Fark L #1 SWD well in Kiowa County, Kansas. <i>Penalty Order - Southwind Petroleum Corp.</i>	22-CONS-3226-CPEN	
3	In the matter of the failure of P.O.&G. Operating, LLC (Operator) to comply with K.A.R. 82 3 111 at the CSMU (Brollier 1) #701, CSMU (Cutter South) #206, CSMU (Green Helen M 1) #1001, CSMU (Margaret Bovie A 2) #602, and CSMU (Ray Barton 3) #1103 wells in Stevens County, Kansas. <i>Penalty Order - P.O.&G. Operating, LLC</i>	22-CONS-3227-CPEN	
4	In the matter of the failure of Great Plains Energy, Inc. (Operator) to comply with K.A.R. 82 3 111 at the Shulte #1 well in Norton County, Kansas. <i>Penalty Order - Great Plains Energy, Inc.</i>	22-CONS-3228-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of Black Rock Resources, LLC (Operator) to comply with K.A.R. 82-3- 117 at the S-H Unit #1-24 well in Logan County, Kansas. Penalty Order - Black Rock Resources, LLC	22-CONS-3229-CPEN	
6	In the matter of the failure of C G Oil, Inc. (Operator) to comply with K.A.R. 82-3- 117 at the Bob & Marie Lease #1 well in Ellis County, Kansas. Penalty Order - C G Oil, Inc.	22-CONS-3230-CPEN	
7	In the matter of the failure of Knighton Oil Company, Inc. (Operator) to comply with K.A.R. 82-3- 117 at the Robinson #1 well in Graham County, Kansas. Penalty Order - Knighton Oil Company, Inc.	22-CONS-3231-CPEN	
8	In the matter of the failure of Micro Oil, LLC (Operator) to comply with K.A.R. 82-3-407 at the Fussman #12 and Fussman #32 wells in Allen County, Kansas. Penalty Order - Micro Oil, LLC	22-CONS-3234-CPEN	
9	In the Matter of the General Investigation into the Interest Rate Paid on Deposits of Customers of Municipal and Privately Owned Utilities. Order Setting Interest Rate on Security Deposits for Calendar Year 2022	98-GIMX-348-GIV	
10	In the Matter of Granite Telecommunications, LLC Requesting Penalty Waiver Order Finding Compliance and Closing Docket	22-GRIT-168-KSF	
11	In the Matter of the Application of Evergy Kansas Central, Inc. for a Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Defined as 115kV Transmission Line Project WR P 26365 E Eureka to Otter Creek in Greenwood County, Kansas. Order Assessing Costs	22-EKCE-235-COC	
12	In the Matter of Kansas Gas Service, a Division of ONE Gas, Inc.'s Ad Valorem Filing in Compliance with the Commission's July 14, 2004 Order in Docket No. 04-KGSG-1099-TAR Order Assessing Costs	22-KGSG-239-TAR	
13	In the Matter of the Investigation of Fierros Trucking LLC, of Ulysses, 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. Order Suspending Intrastate Motor Carrier Operations	22-TRAM-130-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of Military Logistics LLC of Gardner, Kansas, Regarding the Violation 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>Order Adopting Staff's Report and Recommendation, Opening Docket, and Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-236-OOS	
15	In the Matter of the Investigation of Adrian Jones d/b/a A. Jones Construction of Kansas City, Kansas, Regarding the Violation 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>Order Adopting Staff's Report and Recommendation, Opening Docket, and Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-237-OOS	
16	In the Matter of the Investigation of Mackey & Sons Inc, of Newton, 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-238-PEN	
17	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5039-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, Exec. Dir.
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-5039-TRA

Order Number	Description	Removed
20211130133142	<i>In the Matter of the Application of BALLAGAN TRANSPORT INC of SHAWNEE KS for Authority for a Certificate of Public Service.</i> USDOT #1431294 BALLAGAN TRANSPORT INC of SHAWNEE KS - Order Granting Application for Certificate of Public Service	
20211130153002	<i>In the Matter of the Emergency Suspension of Authority of ELMORES INC of SEDAN KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #592926 ELMORES INC of SEDAN KS - Emergency Order Suspending Authority	
20211130153002	<i>In the Matter of the Emergency Suspension of Authority of 888TOWLLC of OVERLAND PARK KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3681662 888TOWLLC of OVERLAND PARK KS - Emergency Order Suspending Authority	
20211130153002	<i>In the Matter of the Emergency Suspension of Authority of ZHX TRUCKING LLC of LIBERAL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3209663 ZHX TRUCKING LLC of LIBERAL KS - Emergency Order Suspending Authority	
20211130153002	<i>In the Matter of the Emergency Suspension of Authority of PHOENIX RECOVERY OF KANSAS LLC of HUTCHINSON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3067693 PHOENIX RECOVERY OF KANSAS LLC of HUTCHINSON KS - Emergency Order Suspending Authority	
20211130153002	<i>In the Matter of the Emergency Suspension of Authority of RON WATOWA TRUCKING INC of ATCHISON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #505616 RON WATOWA TRUCKING INC of ATCHISON KS - Emergency Order Suspending Authority	
20211201153811	<i>In the Matter of the Application of HOOKERS TOWING LLC of INDEPENDENCE MO for Authority for a Certificate of Public Service.</i> USDOT #2927800 HOOKERS TOWING LLC of INDEPENDENCE MO - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
22-TRAM-5039-TRA**

Order Number	Description	Removed
20211201155406	<i>In the Matter of the Application of KYLE AMON of NETAWAKA KS for Authority for a Certificate of Public Service.</i> USDOT #3741941 KYLE AMON of NETAWAKA KS - Order Granting Application for Certificate of Public Service	
20211202153001	<i>In the Matter of the Application of CHALLENGER TRUCKING LLC of EASTON KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3699082 CHALLENGER TRUCKING LLC of EASTON KS - Order Dismissing Application for Certificate of Public Service	
20211202153001	<i>In the Matter of the Application of CHALLENGER TRUCKING LLC of EASTON KS Seeking a Permit of Private Authority.</i> USDOT #3699082 CHALLENGER TRUCKING LLC of EASTON KS - Order Dismissing Application for Permit of Private Authority	
20211202153002	<i>In the Matter of the Emergency Suspension of Authority of G & G TRANSPORT LLC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2172473 G & G TRANSPORT LLC of WICHITA KS - Emergency Order Suspending Authority	
20211202153002	<i>In the Matter of the Emergency Suspension of Authority of FERNANDO TENA-MEZA of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3377174 FERNANDO TENA-MEZA of GARDEN CITY KS - Emergency Order Suspending Authority	

Total # of Orders: 12

End of Report