

Kansas Corporation Commission
Commission Meeting
January 13, 2022
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 January 13, 2022, 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 January 13, 2022, containing pages one through three attached to these Minutes. Commissioner Keen seconded the motion.

The motion was approved.

2. **Noticed Item:**
Docket No. 22-ATMG-251-TAR
In the Matter of the Application of Atmos Energy for Approval of Energy Ad Valorem Tax Surcharge; Calculation of 2022 Adjustment.

Commissioner Duffy moved for approval of Order #22-0044 – Order Approving Ad Valorem Tax Surcharge Rider. Commissioner Keen seconded the motion.


The order was approved.

3. The Commission recognized the following KCC employees for their State of Kansas length of service: Suzanne Balandran (10 years); Kenny Sullivan (10 years); Paula Murray (20 years); and Troy Russell (30 years).
4. The Commission conducted the annual organizational meeting, which included:
 - A. Review and approval of the Commission Business Meeting Schedule for 2022. Chairperson French moved for approval of the schedule; Commissioner Keen seconded the motion. The 2022 Business Meeting Schedule was approved.
 - B. Review of Bylaws.
 - C. Review of the mid-year budget report for Fiscal Year 22.


- D. Review of updated Commission organizational chart; there were no new or updated internal operating policies and plans to review.
- E. Chairperson French moved to elect Commissioner Keen to serve as KCC Chair. Commissioner Duffy seconded the election. The motion was approved and Commissioner Keen was elected to serve as the KCC Chair.

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 January 13, 2022 Commission Meeting at 10:16 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Dwight D. Keen, Chair



Susan K. Duffy, Commissioner



Andrew J. French, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, January 13, 2022

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 Triple Crown Operating LLC for an exception to the pit closure time requirement of K.A.R. 82-3-602 for its Cox #2-35 well located in the SW/4 of Section 35, Township 20 South, Range 22 West, Ness County, Kansas. <i>Order Closing Docket</i>	22-CONS-3159-CEXC	
2	In the matter of an Order to Show Cause issued to CAT Energy, LLC (Operator) regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating Presiding Officer, and Setting Prehearing Conference</i>	22-CONS-3244-CSHO	
3	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 the Income Documentation Requirement Until March 31, 2022</i>	16-GIMT-575-GIT	
4	In the Matter of Staff's Petition to Open a Docket to Write-Off the Balance on Fusion Connect, LLC's Kansas Universal Service Fund (KUSF) Account Pursuant to Bankruptcy Order. <i>Order Nunc Pro Tunc Correcting Order</i>	22-NBSC-281-KSF	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Investigation Into Certain Motor Carriers for Failure to Pay its 2021 Unified Carrier Registration Fees Order to Vacate Penalty Order - Draskos LLC	22-TRAM-176-PEN	
6	In the Matter of the Emergency Suspension of Operating Authority of Robert Todd Baker d/b/a Sunshine Tree Service, of Overland Park, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. Order Reinstating Motor Carrier Operating Authority	22-TRAM-262-OOS	
7	In the Matter of the Emergency Suspension of Operating Authority of WALAAL Trucking LLC, of Kansas City, Kansas, for Failure to Comply With Federal New Entrant Safety Requirements as Required by the Kansas Motor Carrier Safety Statutes, Rules and Regulations. Emergency Suspension of Operating Authority Order	22-TRAM-297-OOS	
8	In the Matter of the Investigation of Greener Spaces, LLC regarding Violations of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5) and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). /Staff Case No. CK-21-OC-1200. Penalty Order	22-DPAX-294-PEN	
9	In the Matter of the Investigation of Ronan Boring, LLC regarding Violations of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5) and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). Staff Case No. KF-21-OC-1013. Penalty Order	22-DPAX-295-PEN	
10	In the Matter of the Investigation of Advantage Lawncare, Inc regarding Violations of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5) and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). /Staff Case No. CK-21-OC-1204. Penalty Order	22-DPAX-296-PEN	
11	Transportation orders to be approved by the Commission on the Consent Agenda. Transportation Economic Orders	22-TRAM-5050-TRA	
12	In the Matter of the Application of The Empire District Electric Company for Approval of the Commission to Make Certain Changes in its Charges for Electric Service. Order Granting Motion for Modification of Procedural Schedule and Designating New Presiding Officer	21-EPDE-444-RTS	

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-5050-TRA

Order Number	Description	Removed
20220107124426	<i>In the Matter of the Application of CARLOS CASTANEDA CAMACHO of ULYSSES KS for Authority for a Certificate of Public Service.</i> USDOT #3758439 CARLOS CASTANEDA CAMACHO of ULYSSES KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 1

End of Report