

Kansas Corporation Commission
Commission Meeting
April 14, 2022
10:00 a.m. 1st 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 April 14, 2022, in the 1st Floor Hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner French moved for approval of the Items on the Consent Agenda dated April 14, 2022, containing pages one through five attached to these Minutes. Commissioner Duffy 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 #22-0634 – Order on APC’s Petition for Intervention, Petition for Reconsideration, and Motion for Amendment. Commissioner French seconded the motion.

The order was approved.

- B. **Docket No. 22-KGSG-469-COM**

In the Matter of the Complaint Against Kansas Gas Service Company, a Division of ONE Gas Inc., by American Packaging Corporation.

Commissioner French moved for approval of Order #22-0640 – Order on Prima Facie Determination. Commissioner Duffy seconded the motion.

The order was approved.

There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The motion was approved. The Commission adjourned the April 14, 2022 Commission Meeting at 10:07 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Susan K. Duffy, Commissioner



Dwight D. Keen, Chair



Andrew J. French, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, April 14, 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 failure of Jeff Crawford dba Jeff's Oilwell Supervision (Operator) to comply with K.A.R. 82 3 111 at the Lerock #5, Lerock/Harrison #2, Schindler #B-1, Schindler #B-2, and Schindler #B-4 wells in Rooks County, Kansas. <i>Order Approving Settlement Agreement</i>	22-CONS-3149-CPEN	
2	In the matter of the application of Murfin Drilling Company, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Watson #28-1 well located in the NE/4 of Section 28, Township 4 South, Range 30 West, Decatur County, Kansas. <i>Order Granting Application</i>	22-CONS-3153-CEXC	
3	In the matter of the failure of John Horton (Operator) to comply with K.A.R. 82-3-111 at ninety-four wells in Chautauqua and Montgomery Counties, Kansas. <i>Order Approving Settlement Agreement</i>	22-CONS-3214-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Application of Double "D" Oil Company, Inc. for Authority to Inject and Dispose of Salt Water into the Stalnaker Formation in its Byers SWD #1 Well Located in the E/2 NE/4 of Section 21, Township 32 South, Range 5 East, Cowley County, Kansas. Order Designating Presiding Officer and Setting Prehearing Conference	22-CONS-3345-CUIC	
5	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Hypercube Telecom, LLC Order Approving Amendment to Interconnection Agreement	10-SWBT-647-IAT	
6	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 Modifying and Clarifying CLEC Certificate	13-TCAT-374-COC	
7	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. Order Accepting and Adopting Compliance Report and Closing Docket	21-SSLZ-056-KSF	
8	In the Matter of the Audit of Inmate Calling Solutions LLC by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 24, Fiscal Year March 2020-February 2021. Order Adopting Audit Report and Closing the Docket	22-INMC-028-KSF	
9	In the Matter of an Investigation to Determine the Annual Assessment Rate for the Twenty-Sixth Year of the Kansas Universal Service Fund, Effective March 1, 2022. Order Approving Traffic Factors for Verizon Wireless	22-GIMT-142-GIT	
10	In the Matter of an Investigation to Determine the Annual Assessment Rate for the Twenty-Sixth Year of the Kansas Universal Service Fund, Effective March 1, 2022. Order Approving Traffic Factors for Consumer Cellular	22-GIMT-142-GIT	
11	In the Matter of an Investigation to Determine the Annual Assessment Rate for the Twenty-Sixth Year of the Kansas Universal Service Fund, Effective March 1, 2022. Order Approving Methodology and Traffic Factors for MCC Missouri LLC	22-GIMT-142-GIT	
12	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 the Transmission Line Project Dearing to Bee Creek in Montgomery County, Kansas. Order Granting Transmission Rights Only Certificate	22-EKCE-342-COC	

Consent Agenda

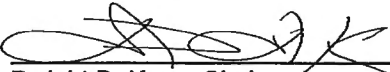
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of a Recommendation to Open a Miscellaneous Investigation into the Use of a Laser Absorption Spectroscopy Platform Coupled with Data Analysis Software as an Approved Method to Perform Natural Gas Leak Surveys as Required by K.A.R. 82-11-4(b)(32). Order Granting Midwest Energy's Motion to File its Entry of Appearance Out of Time	22-GIMG-405-MIS	
14	In the Matter of the Application of the City of Wamego for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. Pottawatomie County Order Dismissing Application	22-WAME-426-COC	
15	In the Matter of the Application of Evergy Metro, Inc. d/b/a Evergy Kansas Metro for Approval of its 2022 Energy Efficiency Rider for Program Costs Incurred January 1 Through December 31, 2021. Order Granting CURB's Petition to Intervene, Suspension Order, Protective Order, and Discovery Order	22-EKME-464-TAR	
16	In the Matter of the Application of Kansas Gas Service, a Division of ONE Gas, Inc. for the Recovery of Qualified Extraordinary Costs and Issuance of a Financing Order. Order Granting CURB's Petition to Intervene; Protective and Discovery Order	22-KGSG-466-TAR	
17	In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with such Regulation, as Provided in K.S.A. 66-1501 to 66-1510. Order Assessing Commission Costs Pursuant to K.S.A. 66-1503	22-ALLX-467-ASM	
18	In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501- to 66-1510. Order Assessing CURB Costs Pursuant to K.S.A. 66-1503	22-ALLB-468-ASM	
19	In the Matter of Matrix Telecom LLC Changing its Name to Lingo Telecom, LCC. (IXC) Order Assessing Costs	22-MXTC-471-CCN	
20	In the Matter of the Investigation of Kings Home Delivery LLC, 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. Order Suspending Intrastate Motor Carrier Operations	22-TRAM-320-PEN	
21	In the Matter of the Investigation of Daniel Rodriguez d/b/a Non-Stop Trucking, 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 Approving Unanimous Settlement Agreement	22-TRAM-413-PEN	

Consent Agenda


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
22	In the Matter of the Investigation of Red Line Industries LLC, of White 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 Approving Unanimous Settlement Agreement</i>	22-TRAM-422-PEN	
23	In the Matter of the Investigation of RD Logistics Inc. d/b/a Henderson Trucking, of Scranton, 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-472-PEN	
24	In the Matter of the Investigation of V&A Cattle Transport LLC, of Garden 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 Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-473-OOS	
25	In the Matter of the Emergency Suspension of Operating Authority of Panda Transport LLC, 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. <i>Emergency Suspension of Operating Authority Order</i>	22-TRAM-474-OOS	
26	In the Matter of the Investigation of Belle Springs Trucking, Inc., of Abilene, 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-475-PEN	
27	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	22-TRAM-5073-TRA	

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

For the Commission :


Dwight D. Keen, Chair


Susan K. Duffy, Commissioner


Andrew J. French, Commissioner

Attest: 
Lynn M. Retz
Executive Director

Transportation Division
 1500 SW Arrowhead Road
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Dwight D. Keen, Chair
 Susan K. Duffy, Commissioner
 Andrew J. French, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number 22-TRAM-5073-TRA

Order Number	Description	Removed
20220404164218	<i>In the Matter of the Application of FLINT HILLS MARINE SERVICES LLC of COTTONWD FLS KS for Authority for a Certificate of Public Service.</i> USDOT #3817617 FLINT HILLS MARINE SERVICES LLC of COTTONWD FLS KS - Order Granting Application for Certificate of Public Service	
20220405091851	<i>In the Matter of the Application of CHELLS LOGISTICS INC of KANSAS CITY MO for Authority for a Certificate of Public Service.</i> USDOT #3816143 CHELLS LOGISTICS INC of KANSAS CITY MO - Order Granting Application for Certificate of Public Service	
20220405092150	<i>In the Matter of the Application of MARIELY PEREZ HERNANDEZ of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3641849 MARIELY PEREZ HERNANDEZ of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
20220405092607	<i>In the Matter of the Application of MCDANIEL TRUCKING LLC of TRIBUNE KS for Authority for a Certificate of Public Service.</i> USDOT #3675660 MCDANIEL TRUCKING LLC of TRIBUNE KS - Order Granting Application for Certificate of Public Service	
20220405123728	<i>In the Matter of the Application of JARROD R SEIRER of LUCAS KS for the Abandonment of Certificate of Public Service.</i> USDOT #2564891 JARROD R SEIRER of LUCAS KS - Order Granting Request for Abandonment for Certificate of Public Service	
20220405133646	<i>In the Matter of the Application of DOOLEY & TOWNSDIN LLC of CONCORDIA KS for the Abandonment of Certificate of Public Service.</i> USDOT #842690 DOOLEY & TOWNSDIN LLC of CONCORDIA KS - Order Granting Request for Abandonment for Certificate of Public Service	
20220405153002	<i>In the Matter of the Application of SINBADS TOW SERVICE INC of KANSAS CITY MO Seeking Authority for a Certificate of Public Service.</i> USDOT #2579110 SINBADS TOW SERVICE INC of KANSAS CITY MO - Order Dismissing Application for Certificate of Public Service	

Transportation Orders By Docket Number
22-TRAM-5073-TRA

Order Number	Description	Removed
20220405153002	<i>In the Matter of the Emergency Suspension of Authority of CRUMBAKER OIL & FEED LLC of BELOIT KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3576486 CRUMBAKER OIL & FEED LLC of BELOIT KS - Emergency Order Suspending Authority	
20220405153002	<i>In the Matter of the Application of RAIMON IZQUIERDO PUENTES of GARDEN CITY KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3569856 RAIMON IZQUIERDO PUENTES of GARDEN CITY KS - Order Dismissing Application for Certificate of Public Service	
20220405153002	<i>In the Matter of the Emergency Suspension of Authority of NANO TRUCKING LLC of SALINA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3656517 NANO TRUCKING LLC of SALINA KS - Emergency Order Suspending Authority	
20220405153002	<i>In the Matter of the Application of MILAN TRANSPORT LLC of KANSAS CITY MO Seeking Authority for a Certificate of Public Service.</i> USDOT #3792366 MILAN TRANSPORT LLC of KANSAS CITY MO - Order Dismissing Application for Certificate of Public Service	
20220405153002	<i>In the Matter of the Application of MAMMOTH TRUCKING LLC of MERIDEN KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3615610 MAMMOTH TRUCKING LLC of MERIDEN KS - Order Dismissing Application for Certificate of Public Service	
20220405153003	<i>In the Matter of the Emergency Suspension of Authority of HEDRICK EXOTIC ANIMAL FARM INC of NICKERSON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #626574 HEDRICK EXOTIC ANIMAL FARM INC of NICKERSON KS - Emergency Order Suspending Authority	
20220405153003	<i>In the Matter of the Emergency Suspension of Authority of AMERICAN PULLING SERVICE LLC of HAYS KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2018932 AMERICAN PULLING SERVICE LLC of HAYS KS - Emergency Order Suspending Authority	
20220405153003	<i>In the Matter of the Emergency Suspension of Authority of AMERICAN TANK SERVICE LLC of HAYS KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #961834 AMERICAN TANK SERVICE LLC of HAYS KS - Emergency Order Suspending Authority	
20220405153003	<i>In the Matter of the Emergency Suspension of Authority of GULLY TRANSPORTATION INC of QUINCY IL for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #159915 GULLY TRANSPORTATION INC of QUINCY IL - Emergency Order Suspending Authority	
20220405153003	<i>In the Matter of the Emergency Suspension of Authority of JOHN BEAM of WAMEGO KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3088892 JOHN BEAM of WAMEGO KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
22-TRAM-5073-TRA

Order Number	Description	Removed
20220406140250	<i>In the Matter of the Application of NELSON RYAN SHOWALTER of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3798835 NELSON RYAN SHOWALTER of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20220406141453	<i>In the Matter of the Application of LEGACY TRUCK GROUP LLC of KANSAS CITY KS for a Private Carrier Permit.</i> USDOT #3816278 LEGACY TRUCK GROUP LLC of KANSAS CITY KS - Order Granting Application for a Private Carrier Permit	
20220406141455	<i>In the Matter of the Application of LEGACY TRUCK GROUP LLC of KANSAS CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3816278 LEGACY TRUCK GROUP LLC of KANSAS CITY KS - Order Granting Application for Certificate of Public Service	
20220406142233	<i>In the Matter of the Application of BAIR GROUP LLC of LOUISBURG KS for Authority for a Certificate of Public Service.</i> USDOT #3578497 BAIR GROUP LLC of LOUISBURG KS - Order Granting Application for Certificate of Public Service	
20220406142236	<i>In the Matter of the Application of BAIR GROUP LLC of LOUISBURG KS for a Private Carrier Permit.</i> USDOT #3578497 BAIR GROUP LLC of LOUISBURG KS - Order Granting Application for a Private Carrier Permit	
20220406142710	<i>In the Matter of the Application of UNC AND FAM LOGISTICS LLC of WICHITA KS for Authority for a Certificate of Public Service.</i> USDOT #3850980 UNC AND FAM LOGISTICS LLC of WICHITA KS - Order Granting Application for Certificate of Public Service	
20220406143304	<i>In the Matter of the Application of BCE-MACH III LLC of MEDICINE LDG KS for a Private Carrier Permit.</i> USDOT #3793970 BCE-MACH III LLC of MEDICINE LDG KS - Order Granting Application for a Private Carrier Permit	
20220407153001	<i>In the Matter of the Application of JACOB PETERS of SATANTA KS Seeking Authority for a Certificate of Public Service.</i> USDOT #2036661 JACOB PETERS of SATANTA KS - Order Dismissing Application for Certificate of Public Service	
20220407153002	<i>In the Matter of the Emergency Suspension of Authority of RIDIN HIGH LLC of RANDALL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2357457 RIDIN HIGH LLC of RANDALL KS - Emergency Order Suspending Authority	
20220407153002	<i>In the Matter of the Emergency Suspension of Authority of JOHN WALL NEUFELD of MEADE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3544906 JOHN WALL NEUFELD of MEADE KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
22-TRAM-5073-TRA

Order Number	Description	Removed
20220407153002	<i>In the Matter of the Emergency Suspension of Authority of TRAVIS TRUCKING LLC of COTTONWOOD FALLS KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2976474 TRAVIS TRUCKING LLC of COTTONWOOD FALLS KS - Emergency Order Suspending Authority	
20220407153002	<i>In the Matter of the Emergency Suspension of Authority of ELITE TRANSPORTATION LLC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1894930 ELITE TRANSPORTATION LLC of WICHITA KS - Emergency Order Suspending Authority	
20220407160307	<i>In the Matter of the Application of STANLEY D STEINER of GALVA KS for the Abandonment of Certificate of Public Service.</i> USDOT #1651867 STANLEY D STEINER of GALVA KS - Order Granting Request for Abandonment for Certificate of Public Service	
20220407161458	<i>In the Matter of the Application of COMPLETE AUTOS INC of KANSAS CITY KS for the Abandonment of Certificate of Public Service.</i> USDOT #833679 COMPLETE AUTOS INC of KANSAS CITY KS - Order Granting Request for Abandonment for Certificate of Public Service	
20220408150529	<i>In the Matter of the Application of WAGGONER MANURE SPREADING LLC of QUINTER KS for Authority for a Certificate of Public Service.</i> USDOT #1276506 WAGGONER MANURE SPREADING LLC of QUINTER KS - Order Granting Application for Certificate of Public Service	
20220411075826	<i>In the Matter of the Application of HOLSTEIN SUPPLY KANSAS INC of SYRACUSE KS for the Abandonment of Certificate of Public Service.</i> USDOT #2469089 HOLSTEIN SUPPLY KANSAS INC of SYRACUSE KS - Order Granting Request for Abandonment for Certificate of Public Service	
20220411142909	<i>In the Matter of the Application of BUCKSHOT MFG LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3774185 BUCKSHOT MFG LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20220411142912	<i>In the Matter of the Application of BUCKSHOT MFG LLC of GARDEN CITY KS for a Private Carrier Permit.</i> USDOT #3774185 BUCKSHOT MFG LLC of GARDEN CITY KS - Order Granting Application for a Private Carrier Permit	
20220411143539	<i>In the Matter of the Application of TRIPLE S TRUCKING LLC of HUGOTON KS for Authority for a Certificate of Public Service.</i> USDOT #2916583 TRIPLE S TRUCKING LLC of HUGOTON KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 36

End of Report