

**Kansas Corporation Commission**  
**Commission Meeting**  
**July 26, 2022**  
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 July 26, 2022, in the 1<sup>st</sup> 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 July 26, 2022, containing pages one through six attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

2. **Noticed Items:**

- A. **Docket No. 12-IWRZ-848-ETC**

*In the Matter of the Application of i-wireless, LLC for Designation as an Eligible Telecommunications Carrier in the State of Kansas.*

Commissioner Duffy moved to approve order #22-1304 – Revised Order Granting Eligible Telecommunications Carrier Status. Commissioner French seconded the motion.

The order was approved.

- B. **Docket No. 22-CONS-3202-CPEN**

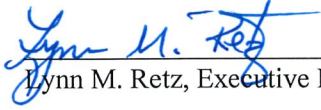
*In the matter of the failure of Pollok Energy, LLC (Operator) to comply with K.A.R. 82-3-120 and K.A.R. 82-3-133 by operating under a revoked license.*

Commissioner French moved to approve order #22-1324 – Final Order. 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 July 26, 2022 Commission Meeting at 10:07 a.m.

Respectfully submitted,



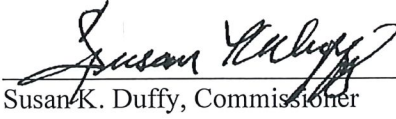
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Lynn M. Retz, Executive Director



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Dwight D. Keen, Chair



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Susan K. Duffy, Commissioner



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Andrew J. French, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Tuesday, July 26, 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 Value-Added Communications, Inc. Request to Withdraw Certification. <i>Order Assessing Costs</i>	23-VACC-032-CCS	
2	In the Matter of the Complaint Against Evergy Kansas Central, Inc. by Jesus Enrique Llanos Tirado. <i>Order Assessing Costs</i>	22-EKCE-143-COM	
3	In the Matter of the Complaint Against Totah Communications Inc. by Joseph A. LaFon. <i>Order Assessing Costs</i>	23-TTHT-028-COM	
4	In the Matter of the Investigation of Mkdaen Trucking LLC, of Saint Edward, Nebraska, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation(s) and Invoice for the Violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations. <i>Order Approving Unanimous Settlement Agreement</i>	22-GIMM-563-KHP	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Audit of Tru Mobility, Inc. by the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A. 66-2010(b) for KUSF Operating Year 23, Fiscal Year March 2019-February 2020. <b><i>Noncompliance Order</i></b>	21-TMIV-069-KSF	
6	In the Matter of the Application of Magellan Pipeline Company, L.P. Filing Tariff Revisions for Commission Approval of Tariff K.C.C. No. 44. <b><i>Order Approving Tariff Revision</i></b>	22-MGPP-525-TAR	
7	In the Matter of NuStar Pipeline Operating Partnership, L.P. Filing Tariff Revisions for Commission Approval of Tariff K.C.C. No. 24 and Cancels No. 23 . <b><i>Order Approving Tariff Revisions</i></b>	22-KNBP-526-TAR	
8	In the Matter of Mid-America Pipeline Company, LLC Company Filing for Approval of K.C.C. Tariff 18.14.0, Canceling K.C.C. Tariff 18.13.0 <b><i>Order Approving Tariff Revisions</i></b>	22-MDAP-527-TAR	
9	In the Matter of Mid-America Pipeline Company, LLC Company Filing for Approval of K.C.C. Tariff 19.18.0, Canceling K.C.C. Tariff 19.17.0, to Implement Increased Rates based on FERC Indexing Methodology. <b><i>Order Approving Tariff Revisions</i></b>	22-MDAP-528-TAR	
10	In the Matter Everyg Kansas Central, Inc. and Everyg Kansas South, Inc. Seeking Approval from the Commission for the Energy Efficiency Rider. <b><i>Order Granting CURB Petition to Intervene; Suspension Order; Protective Order and Discovery Order</i></b>	23-EKCE-035-TAR	
11	In the Matter of Home Telephone Company Filing Tariff Revisions to its General Exchange Tariff. <b><i>Order Assessing Costs</i></b>	23-HOMT-036-TAR	
12	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy for Approval to Implement a Voluntary Renewable Natural Gas and Carbon Offset Program. <b><i>Order Granting CURB Petition to Intervene; Suspension Order; Protective Order and Discovery Order</i></b>	23-BHCG-037-TAR	
13	In the Matter of the Application of Black Hills/Kansas Gas Utility Company, LLC, d/b/a Black Hills Energy for Approval to Implement a Voluntary Renewable Natural Gas and Carbon Offset Program. <b><i>Order Assessing Costs</i></b>	23-BHCG-037-TAR	
14	In the Matter of the Application of Plains Pipeline, L.P. Pursuant to K.A.R.82-10-02 for Approval of KCC No. 5.18.0. <b><i>Order Assessing Costs</i></b>	23-PPLP-033-TAR	
15	In the Matter of the Application of Plains Pipeline, L.P. Pursuant to K.A.R.82-10-02 for Approval of KCC No. 5.18.0. <b><i>Suspension Order: March 13, 2023</i></b>	23-PPLP-033-TAR	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the matter of a Compliance Agreement between John Brickley dba B8 Investments (Operator) and Commission Staff regarding bringing 5 wells into compliance with K.A.R. 82-3-111. <i>Order Approving Compliance Agreement</i>	23-CONS-3010-CMSC	
17	In the matter of a Compliance Agreement between Brickley Enterprises, LLC (Operator) and Commission Staff regarding bringing 25 wells into compliance with K.A.R. 82-3-111. <i>Order Approving Compliance Agreement</i>	23-CONS-3011-CMSC	
18	In the matter of the failure of Charles N. Griffin (Operator) to comply with K.A.R. 82-3-407 at the Angell #SWD well in Barber County, Kansas. <i>Penalty Order - Charles N. Griffin</i>	23-CONS-3013-CPEN	
19	In the matter of the failure of Hoffman Resources, LLC (Operator) to comply with K.A.R. 82-3-407 at the Thunderbird Ranch #4-7 well in Barber County, Kansas. <i>Penalty Order - Hoffman Resources, LLC</i>	23-CONS-3014-CPEN	
20	In the matter of the failure of HDH Resources, Inc. (Operator) to comply with K.A.R. 82-3-407 at the M Robinson #1 well in Comanche County, Kansas. <i>Penalty Order - HDH Resources, Inc.</i>	23-CONS-3015-CPEN	
21	In the Matter of the Investigation of Mast Trucking Inc, of Copeland, 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 Designating Presiding Officer and Setting Prehearing Conference</i>	22-TRAM-247-PEN	
22	In the Matter of the Emergency Suspension of Operating Authority of RLM Underground LLC of Olathe, Kansas, for Failure to Comply with the Motor Carrier Safety Statutes, Rules and Regulations. <i>Order Reinstating Motor Carrier Operating Authority</i>	22-TRAM-404-OOS	
23	In the Matter of the Investigation of Garcia Trucking LLC, of Salina, 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>Order Granting Staff's Motion to Vacate Penalty Order</i>	22-TRAM-545-PEN	
24	In the Matter of the Investigation of Quality Surfacing, of Dodge City, 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>Penalty Order</i>	23-TRAM-002-PEN	

## Consent Agenda


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
25	In the Matter of the Investigation of Marsh Construction Services LLC, of Wellsville, 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>Penalty Order</i>	23-TRAM-003-PEN	
26	In the Matter of the Investigation of Exterior Damage Solutions LLC, of Kansas City, 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>Penalty Order</i>	23-TRAM-004-PEN	
27	In the Matter of the Emergency Suspension of Operating Authority of Stroud Trucking & Excavating LLC, of Pittsburg, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-040-OOS	
28	In the Matter of the Emergency Suspension of Operating Authority of M&C Underground LLC, of Overland Park, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-041-OOS	
29	In the Matter of the Investigation of Reyna Renovations 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 Suspending Intrastate Motor Carrier Operations</i>	23-TRAM-042-OOS	
30	In the Matter of the Emergency Suspension of Operating Authority of Morgan & Sons Enterprises LLC, of Spring Hill, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-044-OOS	
31	In the Matter of the Emergency Suspension of Operating Authority of Jusif Trucking Inc., of Kansas City, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-045-OOS	
32	In the Matter of the Emergency Suspension of Operating Authority of Quintavious Stepney d/b/a Stepney Trucking, of Spring Hill, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-046-OOS	

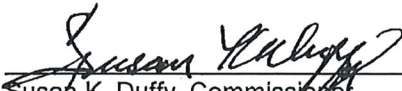
## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
33	In the Matter of the Emergency Suspension of Operating Authority of Black Horse Seamless Gutters, of Mayetta, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-047-OOS	
34	In the Matter of the Emergency Suspension of Operating Authority of Dewey's Hotshot LLC, of Ottawa, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-048-OOS	
35	In the Matter of the Emergency Suspension of Operating Authority of Mattijs Transport LLC, of Hutchinson, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-049-OOS	
36	In the Matter of the Emergency Suspension of Operating Authority of Warren A. Leidig, of Clay Center, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-050-OOS	
37	In the Matter of the Emergency Suspension of Operating Authority of Ramirez Remodeling d/b/a Remodel, of Kansas City, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-055-OOS	
38	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	23-TRAM-5004-TRA	

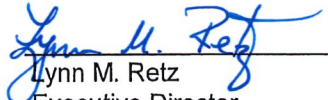
The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :

  
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Dwight D. Keen, Chair

  
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Susan K. Duffy, Commissioner

  
\_\_\_\_\_  
Andrew J. French, Commissioner

Attest:   
\_\_\_\_\_  
Lynn M. Retz  
Executive Director



Transportation Division  
 1500 SW Arrowhead Road  
 Topeka, KS 66604-4027



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Dwight D. Keen, Chair  
 Susan K. Duffy, Commissioner  
 Andrew J. French, Commissioner

Laura Kelly, Governor

## Transportation Orders By Docket Number 23-TRAM-5004-TRA

Order Number	Description	Removed
20220719100306	<i>In the Matter of the Application of GILLESPIES COMPANY LLC of STERLING KS for Authority for a Certificate of Public Service.</i> USDOT #3897821 GILLESPIES COMPANY LLC of STERLING KS - Order Granting Application for Certificate of Public Service	
20220719153001	<i>In the Matter of the Application of US TRUCKING LLC of OVERLAND PARK KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3739783 US TRUCKING LLC of OVERLAND PARK KS - Order Dismissing Application for Certificate of Public Service	
20220719153002	<i>In the Matter of the Emergency Suspension of Authority of SS EMPIRE LLC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3612370 SS EMPIRE LLC of WICHITA KS - Emergency Order Suspending Authority	
20220719153002	<i>In the Matter of the Emergency Suspension of Authority of SCOTT DAVIS TRUCKING INC of SAINT JOSEPH MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #583666 SCOTT DAVIS TRUCKING INC of SAINT JOSEPH MO - Emergency Order Suspending Authority	
20220719153002	<i>In the Matter of the Emergency Suspension of Authority of BENJAMIN J FISHER INC of TRIBUNE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2445937 BENJAMIN J FISHER INC of TRIBUNE KS - Emergency Order Suspending Authority	
20220719153002	<i>In the Matter of the Emergency Suspension of Authority of READY TRUCKING LLC of WAMEGO KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3617934 READY TRUCKING LLC of WAMEGO KS - Emergency Order Suspending Authority	
20220720121348	<i>In the Matter of the Application of CERTARUS USA LTD of MIDLAND TX for Authority for a Certificate of Public Service.</i> USDOT #2527330 CERTARUS USA LTD of MIDLAND TX - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number  
23-TRAM-5004-TRA**

Order Number	Description	Removed
20220721153001	<i>In the Matter of the Application of FRONTIER DAIRY LLC of SYRACUSE KS Seeking Authority for a Certificate of Public Service.</i> USDOT #1310718 FRONTIER DAIRY LLC of SYRACUSE KS - Order Dismissing Application for Certificate of Public Service	
20220721153001	<i>In the Matter of the Application of DAKOTA PUMPING LLC of SYRACUSE KS Seeking a Permit of Private Authority.</i> USDOT #3212870 DAKOTA PUMPING LLC of SYRACUSE KS - Order Dismissing Application for Permit of Private Authority	
20220721153001	<i>In the Matter of the Application of DAKOTA PUMPING LLC of SYRACUSE KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3212870 DAKOTA PUMPING LLC of SYRACUSE KS - Order Dismissing Application for Certificate of Public Service	
20220721153002	<i>In the Matter of the Emergency Suspension of Authority of NAGEL TRUCKING LLC of NORFOLK NE for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1301890 NAGEL TRUCKING LLC of NORFOLK NE - Emergency Order Suspending Authority	
20220721153002	<i>In the Matter of the Emergency Suspension of Authority of ARAUJO TRANSPORT LLC of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3806591 ARAUJO TRANSPORT LLC of GARDEN CITY KS - Emergency Order Suspending Authority	
20220721153002	<i>In the Matter of the Application of FRONTIER DAIRY LLC of SYRACUSE KS Seeking a Permit of Private Authority.</i> USDOT #1310718 FRONTIER DAIRY LLC of SYRACUSE KS - Order Dismissing Application for Permit of Private Authority	
20220721153002	<i>In the Matter of the Application of ZOOM TRANSPORTATION LLC of LEES SUMMIT MO Seeking Authority for a Certificate of Public Service.</i> USDOT #3552720 ZOOM TRANSPORTATION LLC of LEES SUMMIT MO - Order Dismissing Application for Certificate of Public Service	
20220721153002	<i>In the Matter of the Emergency Suspension of Authority of M &amp; A TRANSPORT LLC of LIBERAL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3354272 M & A TRANSPORT LLC of LIBERAL KS - Emergency Order Suspending Authority	
20220721153002	<i>In the Matter of the Emergency Suspension of Authority of SHANNON L WHISENNAND of ELKHART KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1846668 SHANNON L WHISENNAND of ELKHART KS - Emergency Order Suspending Authority	

Total # of Orders: 16

End of Report