Kansas Corporation Commission
Commission Meeting
October 11, 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 October 11, 2022, in the 1st Floor Hearing Room of the Kansas Corporation Commission, 1500 SW Arrowhead Rd., 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 October 11, 2022, containing pages one through six attached to these Minutes. Commissioner Duffy seconded the motion.

   The motion was approved.

2. **Noticed Item:**

   A. Docket No. 22-NETE-419-COC
   In the Matter of the Application of NextEra Energy Transmission Southwest, LLC for its Certificate of Convenience and Necessity to Construct Transmission Facilities in the State of Kansas.

   Commissioner French moved to approve order #22-1863 – Order on Petitions for Reconsideration of Kansas Industrial Consumers Group, Inc. and Darren McGhee and Rochelle McGhee Smart. 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 October 11, 2022 Commission Meeting at 10:08 a.m.

Respectfully submitted,

Sally Conn, Exec. Sec.
Lynn M. Retz, Executive Director

Dwight D. Keen, Chair

Susan K. Duffy, Commissioner

Andrew J. French, Commissioner

Kansas
Corporation Commission

ITEMS OF
Consent Agenda

Approval Date: Tuesday, October 11, 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 seperately 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 Novy Oil & Gas, Inc. (Operator) to comply with K.A.R. 82-3-111 at the Beymer B #2 well in Kearny County, Kansas. ***Order Designating Presiding Officer and Setting Prehearing Conference***	23-CONS-3067-CPEN	
2	In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With First Communications, LLC. ***Order Approving Interconnection Agreement Amendment***	16-SWBT-566-IAT	
3	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 Twin Valley Communications, Inc.***	22-GIMT-142-GIT	
4	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	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	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 SKT, Inc.***	22-GIMT-142-GIT	
6	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 ISG Technology, LLC***	22-GIMT-142-GIT	
7	In the Matter of a General Investigation into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with K.S.A. 66-2005(e) and Federal Communications Commission Reforms. ***Order Adopting Revised Intrastate Access Rates, Revenues and KUSF Adjustments; Directing RLEC Tariff Filings***	22-GIMT-549-GIT	
8	In the Matter of the Transfer of Customeers from X2Comm, Inc. to Legent Comm LLC d/b/a Long Distrance America and Cancellation of Authority of X2Comm, Inc. ***Order Granting Application to Cancel IXC Certificate***	23-X2CC-010-CCS	
9	In the Matter of the Application of Evergy Kansas Central, Inc. for Authority to Cease Transacting the Business of an Electric Public Utility Specifically, in Section 16, Township 28 South, Range 04 West in Sedgwick County, Kansas. ***Order Granting Application to Cease Transacting the Business of an Electric Public Utility***	23-EKCE-354-CCS	
10	In the Matter of the Application of Sedgwick County Electric Cooperative Assn., Inc. for a Certificate of Public Convenience and Authority for Transacting the Business of an Electric Public Utility Specifically, in Section 16, Township 28 South, Range 04 West in Sedgwick County, Kansas. ***Order and Certificate***	23-SGWE-362-COC	
11	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 KSA 66-1503***	23-ALLX-388-ASM	
12	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 KSA 66-1503***	23-ALLB-389-ASM	
13	In the Matter of the Investigation of ROGER L WILLIAMS dba FLORENCE ELEVATOR, of Florence, 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. ***Order Granting Staff's Motion to Vacate Penalty Order***	23-TRAM-058-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of PAGE INTERSTATE TRUCKING LLC, of OLATHE, 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. ***Order Granting Staff's Motion to Vacate Penalty Order***	23-TRAM-156-PEN	
15	In the Matter of the Investigation of MOD LLC, of Manhattan, 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. ***Order Granting Staff's Motion to Vacate Penalty Order***	23-TRAM-159-PEN	
16	In the Matter of the Investigation of Deven Ryan Trucking LLC dba Ryan Trucking, of Tescott, 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. ***Order Granting Staff's Motion to Vacate Penalty Order***	23-TRAM-165-PEN	
17	In the Matter of the Investigation of KEVIN HARBOLT CONSTRUCTION, of AXTELL, 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. ***Order Granting Staff's Motion to vacate Penalty Order***	23-TRAM-194-PEN	
18	In the Matter of the Investigation of LONE WOLF LLC, of HAYS, 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. ***Penalty Order***	23-TRAM-204-PEN	
19	In the Matter of the Investigation of GE TRANSPORTATION LLC dba GE TRANSPORTATION, of MISSION, Kansas, Regarding t 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. ***Penalty Order***	23-TRAM-205-PEN	
20	In the Matter of the Investigation of H&M CONSTRUCTION AND ROOFING 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. ***Penalty Order***	23-TRAM-206-PEN	
21	In the Matter of the Investigation of RTL FAB LLC, of PITTSBURG, 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. ***Penalty Order***	23-TRAM-207-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
22	In the Matter of the Investigation of HECO HEATING AND COOLING LLC, of LIBERAL, 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. ***Penalty Order***	23-TRAM-208-PEN	
23	In the Matter of the Investigation of INTERNATIONAL BRIDGE & CONSTRUCTION MARIANAS INC, of BERRYTON, 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. ***Penalty Order***	23-TRAM-209-PEN	
24	In the Matter of the Investigation of SHELVYS LUXURY SERVICES 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. ***Penalty Order***	23-TRAM-210-PEN	
25	In the Matter of the Investigation of LOGISTIC MOTION 3PL INC dba LOGISTIC MOTION 3PL, 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. ***Penalty Order***	23-TRAM-211-PEN	
26	In the Matter of the Investigation of FORGE TRANSPORT LLC, of COUNCIL GROVE, 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. ***Penalty Order***	23-TRAM-212-PEN	
27	In the Matter of the Investigation of 2S LAND & CATTLE INC, of NEODESHA, 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. ***Penalty Order***	23-TRAM-213-PEN	
28	In the Matter of the Investigation of ACM HOMES LLC dba ACM HOMES, 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. ***Penalty Order***	23-TRAM-214-PEN	
29	In the Matter of the Investigation of STACIE W MOOMEY LLC, of WICHITA, 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. ***Penalty Order***	23-TRAM-215-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
30	In the Matter of the Investigation of JUSIF TRUCKING INC, 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. ***Penalty Order***	23-TRAM-216-PEN	
31	In the Matter of the Investigation of GARDEN FALLS LLC dba HEFTY SEED CO, 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. ***Penalty Order***	23-TRAM-217-PEN	
32	In the Matter of the Investigation of P AND P LOGISTICS LLC, of WICHITA, 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. ***Penalty Order***	23-TRAM-218-PEN	
33	In the Matter of the Investigation of ARGO FARMS, of VERMILLION, 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. ***Penalty Order***	23-TRAM-220-PEN	
34	In the Matter of the Investigation of RAMSEY AUTO SALES LLC dba RAMSEY AUTO SALES, of WICHITA, 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. ***Penalty Order***	23-TRAM-375-PEN	
35	In the Matter of the Investigation of Michael D. Mills d/b/a McDonald Brothers Propane, of Moline, 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. ***Penalty Order***	23-TRAM-385-PEN	
36	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Order***	23-TRAM-5024-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: Sally Conn, Exec. Sec.
Lynn M. Retz
Executive Director

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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-5024-TRA

Order Number	Description	Removed
20221004104258	*In the Matter of the Application of J AND J SERVICES LLC of LIBERAL KS for a Private Carrier Permit.* USDOT #934816 J AND J SERVICES LLC of LIBERAL KS - Order Granting Application for a Private Carrier Permit	
20221004104301	*In the Matter of the Application of J AND J SERVICES LLC of LIBERAL KS for Authority for a Certificate of Public Service.* USDOT #934816 J AND J SERVICES LLC of LIBERAL KS - Order Granting Application for Certificate of Public Service	
20221004153001	*In the Matter of the Application of CARL REIMER of MEADE KS Seeking a Permit of Private Authority.* USDOT #3908088 CARL REIMER of MEADE KS - Order Dismissing Application for Permit of Private Authority	
20221004153002	*In the Matter of the Emergency Suspension of Authority of AMERICAN TRUCKING INC of SAWYER KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #951150 AMERICAN TRUCKING INC of SAWYER KS - Emergency Order Suspending Authority	
20221004153002	*In the Matter of the Emergency Suspension of Authority of BAUMAN LOGISTICS LLC of GARNETT KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2981214 BAUMAN LOGISTICS LLC of GARNETT KS - Emergency Order Suspending Authority	
20221004153002	*In the Matter of the Emergency Suspension of Authority of TRIPLE 8 TRUCKING LLC of CIMARRON KS for Failure tc Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2361893 TRIPLE 8 TRUCKING LLC of CIMARRON KS - Emergency Order Suspending Authority	
20221004153002	*In the Matter of the Emergency Suspension of Authority of OSCAR HOMERO FLORES of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3521041 OSCAR HOMERO FLORES of GARDEN CITY KS - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
23-TRAM-5024-TRA

Order Number	Description	Removed
20221005122013	*In the Matter of the Application of HEMI ELECTRIC LLC of SENECA KS for a Private Carrier Permit.* USDOT #3952529 HEMI ELECTRIC LLC of SENECA KS - Order Granting Application for a Private Carrier Permit	
20221006103314	*In the Matter of the Application of LYON TRUCKING LLC of HOWARD KS for Authority for a Certificate of Public Service.* USDOT #3951326 LYON TRUCKING LLC of HOWARD KS - Order Granting Application for Certificate of Public Service	
20221006103316	*In the Matter of the Application of LYON TRUCKING LLC of HOWARD KS for Authority for a Certificate of Public Service.* USDOT #3951326 LYON TRUCKING LLC of HOWARD KS - Order Granting Application for Certificate of Public Service	
20221006153001	*In the Matter of the Application of PAUL RAMIREZ of WICHITA KS Seeking Authority for a Certificate of Public Service.* USDOT #2484312 PAUL RAMIREZ of WICHITA KS - Order Dismissing Application for Certificate of Public Service	
20221006153001	*In the Matter of the Emergency Suspension of Authority of GEM TRANSPORT LLC of LIBERAL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3106485 GEM TRANSPORT LLC of LIBERAL KS - Emergency Order Suspending Authority	
20221006153002	*In the Matter of the Emergency Suspension of Authority of THOMAS LEON HERTEL of DODGE CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3454728 THOMAS LEON HERTEL of DODGE CITY KS - Emergency Order Suspending Authority	
20221006155032	*In the Matter of the Application of DANNY BOLEN FARM & RANCH LLC of PRATT KS for Authority for a Certificate of Public Service.* USDOT #3936276 DANNY BOLEN FARM & RANCH LLC of PRATT KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 14

End of Report