

Kansas Corporation Commission
Commission Meeting
October 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 10:01 a.m. on October 13, 2022, in the 1st Floor Hearing Room of the Kansas Corporation Commission, 1500 SW Arrowhead Road, 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 13, 2022, containing pages one through five attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

2. **Noticed Item:**

Docket No. 22-ATMG-538-TAR

In the Matter of the Application of Atmos Energy Corporation for the Recovery of Qualified Extraordinary Costs and Issuance of a Financing Order.

Commissioner French moved for approval of Order #22-1934 – Order on Unanimous Settlement Agreement. Commissioner Duffy seconded the motion.

The order was approved.

3. **Other Matters:**

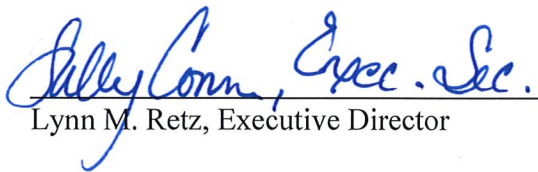
Chair Keen moved to meet in Executive Session for a period of 60 minutes to discuss security matters or measures pursuant to K.S.A. 75-4319(b)(12). The following were included in the meeting: KGS attendees: Sean Postlethwait, Geoff Goolsbay, Michael Jones, Lorna Eaton, and Robert Vincent. KCC employees: Brian Fedotin, Walker Hendrix, Jeff McClanahan, Justin Grady, Leo Haynos, Pat Renner, and Jon McKenzie. Commissioner Duffy seconded the motion. The motion was approved. The Commission will reconvene online at 11:11 a.m. and the Commissioners moved into a secure break-out room.

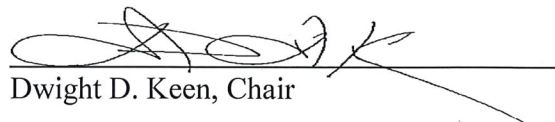
The Commission moved into Executive Session at 10:11 a.m. and reconvened online in public session at 11:12 a.m.

The Commission took no action following the Executive Session.

There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The Commission adjourned the October 13, 2022 Commission Meeting at 11:12 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, October 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 Everest Midwest Licensee LLC, Filing for Kansas Video Service Authorization. <i>Order Granting VSA Termination in Mission Woods and Westwood Hills</i>	08-EVMT-1088-VSA	
2	In the Matter of the Application of The Empire District Electric Company for Approval of its Annual Energy Cost Adjustment ("ACA") Filing <i>Order Approving Annual Cost Adjustment Factor</i>	21-EPDE-198-ACA	
3	In the Matter of an Investigation to Determine the Affordable Local Service Rates for Rate-of-Return Regulated Carriers and the Annual Assessment Rate for the Twenty-Seventh Year of the Kansas Universal Service Fund, Effective March 1, 2023. <i>Order Granting Extension of Time to Brightspeed</i>	23-GIMT-261-GIT	
4	In the Matter of S&T Telephone Cooperative Association Filing Tariff Revisions to De-Tariffing Non-Regulated Services and Remove Services No Longer Provided. <i>Order Approving Revised Tariff</i>	23-S&TT-349-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of Freedom Pipeline LLC to Show Cause Why it has Not Filed its Maximum Tariff Rate as an Open Access Pipeline. Order Designating Presiding Officer	23-FRPG-371-SHO	
6	In the Matter of the Application of Prairieland Electric Cooperative Inc for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas. Order Assessing Costs	23-MDWE-390-COC	
7	In the Matter of the Application of Midwest Energy Inc for Permission to Cease Operating as an Electric Public Utility in the State of Kansas. Order Assessing Costs	23-MDWE-391-CCS	
8	In the Matter of the Investigation of B&M FARMS OF FONTANA LLC dba B&M FARMS, of FONTANA, 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-221-PEN	
9	In the Matter of the Investigation of AAA TRUCKING SOLUTIONS LLC, 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-222-PEN	
10	In the Matter of the Investigation of SAVAGE TRANSPORT LLC, 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-223-PEN	
11	In the Matter of the Investigation of RJ RETAIL LLC, of GARDNER, 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-224-PEN	
12	In the Matter of the Investigation of CLINTON HUSER dba HUSER FAMILY FARMS, of FREDONIA, 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-226-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of IDEAL FREIGHT BROKERAGE LLC, of MCPHERSON, 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-227-PEN	
14	In the Matter of the Investigation of BEALL TRUCKING LLC, of MANKATO, 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>UCR - Penalty Order</i>	23-TRAM-229-PEN	
15	In the Matter of the Investigation of MGR TRANSPORT 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. <i>Penalty Order</i>	23-TRAM-230-PEN	
16	In the Matter of the Investigation of A-TRANSPORT LLC, of ANDOVER, 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-231-PEN	
17	In the Matter of the Investigation of BOUND WITH HONORS 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. <i>UCR - Penalty Order</i>	23-TRAM-232-PEN	
18	In the Matter of the Investigation of RINI TRANSPORTATION AND LOGISTICS, 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. <i>Penalty Order</i>	23-TRAM-238-PEN	
19	In the Matter of the Investigation of THE RANCHERS DAUGHTER LLC, of WAMEGO, 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-239-PEN	
20	In the Matter of the Investigation of ESCARR 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>Penalty Order</i>	23-TRAM-240-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
21	In the Matter of the Investigation of H & M DELIVERY SERVICES LLC, 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. <i>UCR - Penalty Order</i>	23-TRAM-241-PEN	
22	In the Matter of the Investigation of MOORE HAULING LLC, of WINFIELD, 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>UCR - Penalty Order</i>	23-TRAM-242-PEN	
23	In the Matter of the Investigation of CHEAPER TOWING 101 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. <i>UCR - Penalty Order</i>	23-TRAM-243-PEN	
24	In the Matter of the Investigation of TRUE GRIT WOODWORKING 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>UCR - Penalty Order</i>	23-TRAM-244-PEN	
25	In the Matter of the Investigation of HORSEPOWER STABLES LLC, of CHERRYVALE, 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>UCR - Penalty Order</i>	23-TRAM-245-PEN	
26	In the Matter of the Investigation of AZLAN LLC, 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. <i>UCR - Penalty Order</i>	23-TRAM-246-PEN	
27	In the Matter of the Investigation of KEENE LLC dba KEENE'S TOWING & RECOVERY, of PARSONS, 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>UCR - Penalty Order</i>	23-TRAM-247-PEN	
28	In the Matter of the Investigation of KJ TRANSPORT LLC, of GARDNER, 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>UCR - Penalty Order</i>	23-TRAM-249-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
29	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	23-TRAM-5025-TRA	

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

For the Commission :



Dwight D. Keen, Chair

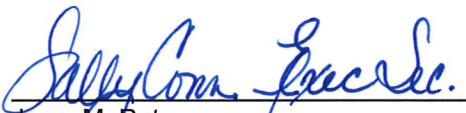


Susan K. Duffy, Commissioner



Andrew J. French, Commissioner

Attest:



Lynn M. Retz
Executive Director

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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-5025-TRA

Order Number	Description	Removed
20221010105405	<i>In the Matter of the Application of 7M TRANSPORT LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3955928 7M TRANSPORT LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 1

End of Report