

Kansas Corporation Commission
Commission Meeting
October 18, 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 18, 2022, in the 1st Floor Hearing Room of the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner French moved for approval of the Items on the Consent Agenda dated October 18, 2022, containing pages one through six attached to these Minutes. Chair Keen seconded the motion.

The motion was approved.

2. **Noticed Item:**

Docket No. 22-EKME-254-TAR

In the Matter of the Application of Evergy Kansas Metro, Inc., Evergy Kansas South, Inc. and Evergy Kansas Central, Inc. for Approval of its Demand-Side Management Portfolio Pursuant to the Energy Efficiency Investment Act (KEEIA), K.S.A. 66-1283.

Commissioner French moved for approval of Order # 22-1958 – Order on Motion to Extend Stay. Chair Keen seconded the motion.


The order was approved.

There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Chair Keen seconded the motion. The Commission adjourned the October 18, 2022 Commission Meeting at 10:05 a.m.

Respectfully submitted,



Lynn M. Retz, Executive Director



Dwight D. Keen, Chair

Absent

Susan K. Duffy, Commissioner



Andrew J. French, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, October 18, 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 S & B Operating, LLC (Operator) to comply with K.A.R. 82-3-407 at the Ambler #1 well in Butler County, Kansas. <i>Penalty Order - S & B Operating, LLC</i>	23-CONS-3091-CPEN	
2	In the matter of the failure of Roger M. Wheeler, Jr. dba Wheeler Oil Company (Operator) to comply with K.A.R. 82-3-603 at the Simmons #3-10 well in Morton County, Kansas. <i>Penalty Order - Roger M. Wheeler, Jr. dba Wheeler Oil Company</i>	23-CONS-3092-CPEN	
3	In the matter of the failure of Donald C. Clark dba CFA Oil Company (Operator) to comply with K.A.R. 82 3 111 at the Rudolph #1 well in Riley County, Kansas. <i>Penalty Order - Donald C. Clark dba CFA Oil Company</i>	23-CONS-3093-CPEN	
4	In the matter of the failure of Hawkins Oil, LLC (Operator) to comply with K.A.R. 82 3 111 at the Purcell #4-C well in Rice County, Kansas. <i>Penalty Order - Hawkins Oil, LLC</i>	23-CONS-3094-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the matter of the failure of L. D. Drilling, Inc. (Operator) to comply with K.A.R. 82 3 111 at the Heyen #1-24 well in Stafford County, Kansas. <i>Penalty Order - L. D. Drilling, Inc.</i>	23-CONS-3095-CPEN	
6	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 27, Township 27 South, Range 04 East in Butler County, Kansas. <i>Order Granting Application to Cease Operations as an Electric Public Utility</i>	23-EKCE-366-CCS	
7	In The Matter of the Application of City of Augusta, KS for a Certificate of Convenience and Authority to Transact the Business of an Electric Public Utility of the State of Kansas. <i>Order Approving Certificate of Convenience Application</i>	23-AUGE-374-COC	
8	In the Matter of the Application of Atmos Energy Corporation for Approval of a Change to Its Purchased Gas Adjustment Tariff. <i>Order Granting CURB's Petition to Intervene and Motion for Protective and Discovery Order</i>	23-ATMG-387-PGA	
9	In the Matter of the Application of Atmos Energy Corporation for Approval of a Change to Its Purchased Gas Adjustment Tariff. <i>Suspension Order: May 29, 2023</i>	23-ATMG-387-PGA	
10	In the Matter of the Application of Evergy Kansas Central, Inc. for Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility Defined as 12kV Distribution Line Project WR M102382697 in Riley County, Kansas. <i>Order Assessing Costs</i>	23-EKCE-393-COC	
11	In the Matter of the Application of Atmos Energy Corporation for Approval to Defer Recovery of a Portion of Its Under-Recovered Purchased Gas Costs Under Its Annual Cost Adjustment Clause in the Utility's Purchased Gas Adjustment Tariff. <i>Order Assessing Costs</i>	23-ATMG-394-ACA	
12	In the Matter of Evergy Kansas Metro, Inc., to add Language Requiring Company Consent for a Customer to Participate in the SPP's Integrated Market or any Related Demand Response Program. <i>Order Assessing Costs</i>	23-EKME-395-TAR	
13	In the Matter of the Investigation of A Plus Concrete Works & Design LLC, of Kansas 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 Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-434-PEN	
14	In the Matter of the Investigation of Ja Lamon Farms LLC, of Larned, 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 Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-435-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Investigation of Norton 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. <i>Order Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-438-PEN	
16	In the Matter of the Investigation of Browns Services LLC, of Mulberry, 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 Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-439-PEN	
17	In the Matter of the Investigation of Hughes Logistics LLC, of Lawrence, 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 Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-440-PEN	
18	In the Matter of the Investigation of Kang Xpress Inc., of Olathe, 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 Suspending Intrastate Motor Carrier Operations</i>	22-TRAM-441-PEN	
19	In the Matter of the Investigation of JDPD Trucks 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>Order Suspending Intrastate Motor Carrier Operations</i>	23-TRAM-102-PEN	
20	In the Matter of the Investigation of GLADIATOR TRUCKING INC, of TOPEKA, 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-263-PEN	
21	In the Matter of the Investigation of ARROW TRANSPORT LLC, of DENNIS, 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-264-PEN	
22	In the Matter of the Investigation of CAMPBELL MOVING AND STORAGE INC, 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>Penalty Order</i>	23-TRAM-265-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the Matter of the Investigation of WESTPORT CARRIERS INC, 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>Penalty Order</i>	23-TRAM-266-PEN	
24	In the Matter of the Investigation of JACKSON AND CARR TRUCKING 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>Penalty Order</i>	23-TRAM-268-PEN	
25	In the Matter of the Investigation of BT EMERGENCY SERVICES LLC, of SEDGWICK, 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-269-PEN	
26	In the Matter of the Investigation of GORCO TRUCKING INC, of CLEARWATER, 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-270-PEN	
27	In the Matter of the Investigation of COMELY LOGISTICS 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>Penalty Order</i>	23-TRAM-271-PEN	
28	In the Matter of the Investigation of SPLIT RAIL LOGISTICS LLC, of BREWSTER, 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-272-PEN	
29	In the Matter of the Investigation of KING'S VIP 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. <i>Penalty Order</i>	23-TRAM-273-PEN	
30	In the Matter of the Investigation of FAST AND CAREFUL TRANSPORTATION SERVICES 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. <i>Penalty Order</i>	23-TRAM-274-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
31	In the Matter of the Investigation of OVERLAND LOGISTICS INC, 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>Penalty Order</i>	23-TRAM-275-PEN	
32	In the Matter of the Investigation of WAVE TRANSPORTATION 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. <i>Penalty Order</i>	23-TRAM-276-PEN	
33	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	23-TRAM-5026-TRA	

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

For the Commission :



Dwight D. Keen, Chair

Absent

Susan K. Duffy, Commissioner

Andrew J. French

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-5026-TRA

Order Number	Description	Removed
20221011142334	<i>In the Matter of the Emergency Suspension of Authority of MELVIN J BISHOFF of JUNCTION CITY KS for the Failure to Maintain Insurance Coverage as Required by Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1296556 MELVIN J BISHOFF of JUNCTION CITY KS - Order Rescinding Emergency Order Suspending Authority for Failure to Maintain Insurance Coverage	
20221011144542	<i>In the Matter of the Application of GRAIN PROTECTION SERVICES LLC of SALINA KS for a Private Carrier Permit.</i> USDOT #3723663 GRAIN PROTECTION SERVICES LLC of SALINA KS - Order Granting Application for a Private Carrier Permit	
20221011153001	<i>In the Matter of the Application of ORBIL EMMANUEL MARTINEZ of GARDEN CITY KS Seeking Authority for a Certificate of Public Service.</i> USDOT #3875574 ORBIL EMMANUEL MARTINEZ of GARDEN CITY KS - Order Dismissing Application for Certificate of Public Service	
20221011153002	<i>In the Matter of the Emergency Suspension of Authority of VICTOR JACOBS INC of SMITH CENTER KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> US DOT #3222754 VICTOR JACOBS INC of SMITH CENTER KS - Emergency Order Suspending Authority	
20221012112629	<i>In the Matter of the Application of JOHN T CROSSLEY of LEAVENWORTH KS for Authority for a Certificate of Public Service.</i> USDOT #3775161 JOHN T CROSSLEY of LEAVENWORTH KS - Order Granting Application for Certificate of Public Service	
20221012151606	<i>In the Matter of the Application of JEFFREY MCDERMOTT of WAKEENEY KS for Authority for a Certificate of Public Service.</i> USDOT #3959333 JEFFREY MCDERMOTT of WAKEENEY KS - Order Granting Application for Certificate of Public Service	
20221013083943	<i>In the Matter of the Application of LEGACY TRUCK & REPAIR LLC of HAYS KS for Authority for a Certificate of Public Service.</i> US DOT #3959018 LEGACY TRUCK & REPAIR LLC of HAYS KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
23-TRAM-5026-TRA**

Order Number	Description	Removed
20221013084148	<i>In the Matter of the Application of VANCE L WHITE of SHARON SPRINGS KS for Authority for a Certificate of Public Se,vice.</i> USDOT #1136256 VANCE L WHITE of SHARON SPRINGS KS - Order Granting Application for Certificate of Public Service	
20221013134420	<i>In the Matter of the Application of RENE EFRAIN REYES JR of LAKIN KS for Authority for a Certificate of Public Service.</i> USDOT #2892785 RENE EFRAIN REYES JR of LAKIN KS - Order Granting Application for Certificate of Public Service	
20221013135533	<i>In the Matter of the Application of KENCO FLEET SERVICES LLC of CHATTANOOGA TN for Authority for a Certificate of Public Se,vice.</i> USDOT #3964230 KENCO FLEET SERVICES LLC of CHATTANOOGA TN - Order Granting Application for Certificate of Public Service	
20221013150723	<i>In the Matter of the Application of YANCEY CRANE SERVICE LLC of LIBERAL KS for a Private Carrier Permit.</i> USDOT#2510778 YANCEY CRANE SERVICE LLC of LIBERAL KS - Order Granting Application for a Private Carrier Permit	
20221013150837	<i>In the Matter of the Application of VAQUERO TRUCKING CO of PLAINS KS for Authority for a Certificate of Public Service.</i> USDOT #2264274 VAQUERO TRUCKING CO of PLAINS KS - Order Granting Application for Certificate of Public Service	
20221013153002	<i>In the Matter of the Emergency Suspension of Authority of EASY STREET TRANSPORTATION LLC of LAWRENCE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3604871 EASY STREET TRANSPORTATION LLC of LAWRENCE KS - Emergency Order Suspending Authority	
20221013153002	<i>In the Matter of the Emergency Suspension of Authority of GTR LIMOUSINE & PARTY SERVICES LLC of GREAT BEND KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT#3674850 GTR LIMOUSINE & PARTY SERVICES LLC of GREAT BEND KS -Emergency Order Suspending Authority	
20221013154244	<i>In the Matter of the Application of ARZATE AUTO TOWING LLC of GARDEN CITY KS for Authority for a Certificate of Public Se,vice.</i> USDOT #3956719 ARZATE AUTO TOWING LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 15

End of Report