

Kansas Corporation Commission
Commission Meeting
November 8, 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 November 8, 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 November 8, 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. 23-EKCE-447-COM**

In the Matter of the Complaint Against Evergy Kansas Central, Inc. by Jeff Bryant.

Commissioner French moved for approval of Order #22-2165 – Order on Prima Facie Determination. Commissioner Duffy seconded the motion.

The order was approved.

- B. **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 Duffy moved for approval of Order #22-2198 – Order on Motion to Extend Stay. Commissioner French seconded the motion.

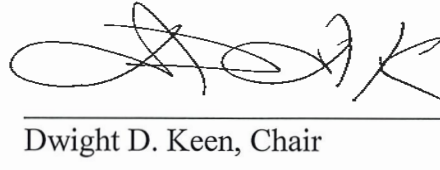
The order was approved.

There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The Commission adjourned the November 8, 2022 Commission Meeting at 10:04 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: Tuesday, November 8, 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 Lario Oil & Gas Company requesting an order authorizing the Unitization and Unit Operation of the SE Logo Unit in Gove County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	23-CONS-3090-CUNI	
2	In the matter of the failure of DB Energy, LLC (Operator) to comply with K.A.R. 82-3-407 at the Dale Cox #TC-3 well in Neosho County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	23-CONS-3109-CPEN	
3	In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Trinsic Communications, Inc. <i>Order Approving Amended Interconnection Agreement</i>	06-SWBT-376-IAT	
4	In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Birch Telecom of Kansas, Inc. <i>Order Approving Interconnection Agreement Amendment</i>	06-SWBT-747-IAT	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Cox Communications Kansas L.L.C., Filing for Kansas Video Service Authorization. <i>Order Granting Amended Video Service Authorization</i>	07-CXKC-621-VSA	
6	In the Matter of An Investigation to Determine the Assessment Rate for the Twenty-Fourth Year of the Kansas Universal Service Fund, Effective March 1, 2020. <i>Order Accepting Final Report</i>	20-GIMT-086-GIT	
7	In the Matter of the Application of Ark Valley Coop. Assn. Inc. for Permission to Cease Operating as a(n) Electric Public Utility in the State of Kansas. SE4 SE4 SEC6 T23S R4W. <i>Order Granting Application to Cease Transacting the Business of an Electric Public Utility</i>	22-AKVE-514-CCS	
8	In the Matter of the Application for Columbus Communications Services, LLC for Additional Kansas Universal Service Fund Support Pursuant to K.S.A. 66-2008. <i>Order Cancelling Procedural Schedule</i>	22-COST-546-KSF	
9	In the Matter of the Application of Evergy Kansas Central, Inc. for Authority to Transact the Business of an Electric Public Utility Specifically, in a Portion of Sections 05 & 06, Township 23, Range 04, Reno County, Kansas. <i>Order and Certificate</i>	23-EKCE-236-COC	
10	In the Matter of the Application of Everfast Fiber Networks LLC for a Kansas Video Service Authorization. <i>Order Granting Video Service Authorization</i>	23-EFNT-427-VSA	
11	In the Matter of the Application of Evergy Kansas Metro, Inc. for Authority to Cease Transacting the Business of an Electric Public Utility Specifically, in Section 19, Township 20 South, Range 20 East in Anderson County, Kansas. <i>Order Granting Application to Cease Transacting the Business of an Electric Public Utility in Certain Portions of Anderson County, KS</i>	23-EKME-431-CCS	
12	In the Matter of the Application of the City of Garnett, Kansas, for Authority to Begin Transacting the Business of the Electric Public Utility Specifically, in Section 19, Township 20 South, Range 20 East in Garnett, Anderson County, Kansas. <i>Order Granting Application to Transact the Business of an Electric Public Utility in Certain Portions of Anderson County</i>	23-GARP-433-COC	
13	In the Matter of the Investigation of LET'S MOVE KC 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>Order Granting Staff's Motion to Vacate Penalty Order</i>	23-TRAM-305-PEN	
14	In the Matter of the Investigation of RXI 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. <i>Penalty Order</i>	23-TRAM-346-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the Matter of the Investigation of 21st Century Transportation Alliance LLC d/b/a Finley Cattle Company 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-407-PEN	
16	In the Matter of the Investigation of Eric Moden d/b/a Moden Farms 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-410-PEN	
17	In the Matter of the Investigation of BOOST TRANSPORT 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-411-PEN	
18	In the Matter of the Investigation of PLX LIMITED TRANSPORT LLC dba PLX TRANSPORTATION, 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-413-PEN	
19	In the Matter of the Investigation of TAYLORS TOWING AND RECOVERY LLC, 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-414-PEN	
20	In the Matter of the Investigation of MARIO'S CONTRACTOR CORP, of GARDEN 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-415-PEN	
21	In the Matter of the Investigation of FIBER TRANSPORTATION 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-416-PEN	
22	In the Matter of the Investigation of AAG HAULING LLC, of ATCHISON, 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-417-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
23	In the Matter of the Investigation of IAG UTILITIES 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-418-PEN	
24	In the Matter of the Investigation of MAWHIRTER FARMS AND CUSTOM HARVESTING, of ST JOHN, 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-419-PEN	
25	In the Matter of the Investigation of LADY FINGERS TOWING AND RECOVERY LLC, 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-420-PEN	
26	In the Matter of the Investigation of KANA TRANSPORTATION 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-421-PEN	
27	In the Matter of the Investigation of JONES TRAILS LOGISTICS, 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-422-PEN	
28	In the Matter of the Investigation of INCUMINGS TRUCKING LLC, of MOUND 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-423-PEN	
29	In the Matter of the Investigation of Marsh Constructions Services LLC, 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-425-PEN	
30	In the Matter of the Investigation of MILITARY LOGISTICS 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>Penalty Order</i>	23-TRAM-432-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
31	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Order</i>	23-TRAM-5032-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-5032-TRA

Order Number	Description	Removed
20221101082550	<i>In the Matter of the Application of JAKES TRANSPORT SERVICES LLC of LARNED KS for Authority for a Certificate of Public Service.</i> USDOT #3961799 JAKES TRANSPORT SERVICES LLC of LARNED KS - Order Granting Application for Certificate of Public Service	
20221101153002	<i>In the Matter of the Emergency Suspension of Authority of MIKES LLC of BELLE PLAINE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #953899 MIKES LLC of BELLE PLAINE KS - Emergency Order Suspending Authority	
20221101153002	<i>In the Matter of the Emergency Suspension of Authority of B & C AUTO REPAIR of RUSSELL KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #955834 B & C AUTO REPAIR of RUSSELL KS - Emergency Order Suspending Authority	
20221101153002	<i>In the Matter of the Emergency Suspension of Authority of AIR CLEANING TECHNOLOGIES INC of BONNER SPRINGS KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2124180 AIR CLEANING TECHNOLOGIES INC of BONNER SPRINGS KS - Emergency Order Suspending Authority	
20221101153002	<i>In the Matter of the Emergency Suspension of Authority of BRIAN & SHERRI HAMEL of BEATRICE NE for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #1290946 BRIAN & SHERRI HAMEL of BEATRICE NE - Emergency Order Suspending Authority	
20221103100211	<i>In the Matter of the Application of ENRIQUE TEICHROEB of MONTEZUMA KS for a Private Carrier Permit.</i> USDOT #2065327 ENRIQUE TEICHROEB of MONTEZUMA KS - Order Granting Application for a Private Carrier Permit	
20221103153002	<i>In the Matter of the Emergency Suspension of Authority of PB TRANSPORT LLC of MOUND VALLEY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #3599244 PB TRANSPORT LLC of MOUND VALLEY KS - Emergency Order Suspending Authority	

**Transportation Orders By Docket Number
23-TRAM-5032-TRA**

Order Number	Description	Removed
20221103153002	<i>In the Matter of the Emergency Suspension of Authority of BRADY INC of JOHNSON KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #510904 BRADY INC of JOHNSON KS - Emergency Order Suspending Authority	
20221103153002	<i>In the Matter of the Emergency Suspension of Authority of GALE DEAN HOLLE of MARYSVILLE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i> USDOT #2339416 GALE DEAN HOLLE of MARYSVILLE KS - Emergency Order Suspending Authority	

Total # of Orders: 9

End of Report