

**Kansas Corporation Commission**  
**Commission Meeting**  
**November 10, 2022 @ 10:00 a.m.**  
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 10, 2022, at the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

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

1. **Consent Agenda:** Commissioner Duffy moved for approval of the Items on the Consent Agenda dated November 10, 2022, containing pages one through four attached to these Minutes. Commissioner French seconded the motion.

The motion was approved.

**There being no further matters before the Commission, Commissioner Duffy moved for adjournment of the Commission meeting. Commissioner French seconded the motion. The motion was approved. The Commission adjourned the November 10, 2022 Commission Meeting at 10:01 a.m.**

Respectfully submitted,

  
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Lynn M. Retz, Executive Director

Absent  
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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: Thursday, November 10, 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 Quito, Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Solomon #5 located at the SE/4 of Section 18, Township 35 South, Range 12 East, Chautauqua County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	22-CONS-3446-CEXC	
2	In the Matter of the Application of Everest Midwest Licensee LLC, Filing for Kansas Video Service Authorization. <i>Order Granting Video Service Authorization Transfer and Termination</i>	08-EVMT-1088-VSA	
3	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. <i>Order and Certificate</i>	23-PLCE-390-COC	
4	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. <i>Order Granting Application to Cease Transacting the Business of an Electric Public Utility</i>	23-MDWE-391-CCS	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	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 05, Township 15 South, Range 20 East in Douglas County, Kansas. <b>Order Granting Application to Cease Operations as an Electric Public Utility</b>	23-EKME-430-CCS	
6	In the Matter of the Application of The City of Baldwin City for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Utility Municipal Utility in the State of Kansas. <b>Order Approving Certificate of Convenience Application</b>	23-BALE-436-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. <b>Order Assessing Costs</b>	23-MDWE-451-CCS	
8	In the Matter of the Application of Prairieland Electric Cooperative Inc. for a Certificate of Convenience and Authority to Transact the Business of a(n) Electric Public Utility in the State of Kansas. <b>Order Assessing Costs</b>	23-PLCE-452-COC	
9	In the Matter of the Investigation of Long Haul Trucking LLC, of Shawnee, 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. <b>Order Suspending Intrastate Motor Carrier Operations</b>	23-TRAM-007-PEN	
10	In the Matter of the Investigation of A&K TRANSPORTATION LLC, of FAIRVIEW, 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. <b>Penalty Order</b>	23-TRAM-166-PEN	
11	In the Matter of the Investigation of KS Underground & Trailer Town Inc., 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. <b>Penalty Order</b>	23-TRAM-167-PEN	
12	In the Matter of the Investigation of SWIFTLOADS LLC dba SWIFTLOADS, of SHAWNEE, 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. <b>Penalty Order</b>	23-TRAM-170-PEN	

## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Investigation of Jackie Lane dba Lane Transport, of Mission, 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. <b>Penalty Order</b>	23-TRAM-171-PEN	
14	In the Matter of the Investigation of CROSSWAYS INC, 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. <b>Penalty Order</b>	23-TRAM-172-PEN	
15	In the Matter of the Investigation of Capital Tile 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. <b>Penalty Order</b>	23-TRAM-173-PEN	
16	In the Matter of the Investigation of Kansas Towing 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. <b>Penalty Order</b>	23-TRAM-434-PEN	
17	In the Matter of the Investigation of AS TRUCKING 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. <b>Penalty Order</b>	23-TRAM-440-PEN	
18	In the Matter of the Investigation of Concrete Enterprises Incorporated of Kingman, 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. <b>Penalty Order</b>	23-TRAM-441-PEN	
19	In the Matter of the Emergency Suspension of Operating Authority of Orion Transport Inc, of Lenexa, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <b>Emergency Suspension of Operating Authority Order</b>	23-TRAM-450-OOS	
20	Transportation orders to be approved by the Commission on the Consent Agenda. <b>Transportation Economic Order</b>	23-TRAM-5033-TRA	

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

For the Commission :

*Absent*

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Dwight D. Keen, Chair

*Susan K. Duffy*

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Susan K. Duffy, Commissioner

*Andrew J. French*

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Andrew J. French, Commissioner

Attest:

*Lynn M. Retz*

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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-5033-TRA**

Order Number	Description	Removed
20221104144644	<i>In the Matter of the Application of MILLERS BACKHOE SERVICE LLC of KINGMAN KS for a Private Carrier Permit.</i> USDOT #3945777 MILLERS BACKHOE SERVICE LLC of KINGMAN KS - Order Granting Application for a Private Carrier Permit	

Total # of Orders: 1

End of Report