Kansas Corporation Commission
Commission Meeting
January 19, 2023 @ 10:00 am
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 January 19, 2023, at the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

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

1. **Consent Agenda**: Chair Duffy stated that Consent Agenda Item #1 – Docket No. 23-CONS-3133-CPEN, was to be removed from the agenda. Commissioner French moved for approval of the Items on the Consent Agenda dated January 19, 2023, noting the removal of Consent Agenda Item #1, containing pages one through three attached to these Minutes. Commissioner Keen seconded the motion.

   The motion was approved.

2. **Noticed Items:**

A. Docket No. 23-EKME-426-COM
In the Matter of the Complaint Against Evergy Metro, Inc. d/b/a Evergy Kansas Metro by William J. Flohrs.

Commissioner French moved for approval of Order #23-0083 – Order on Prima Facie Determination. Commissioner Keen seconded the motion.

The order was approved.

B. Docket No. 23-EKME-453-COM
In the Matter of the Complaint Against Evergy Kansas Metro, Inc. by Leslie A. Cimino.

Commissioner French moved for approval of Order # 23-0084 – Order on Prima Facie Determination. Commissioner Keen seconded the motion.

The order was approved.

3. **Other Matters:**

Chair Duffy moved to meet in Executive Session for a period of 30 minutes to discuss personnel matters of non-elected personnel, pursuant to KSA 75-4319(b)(1), to protect the privacy of the individuals involved, to discuss hiring. Included in the meeting was Lynn Retz, Executive Director. Commissioner Keen seconded the motion. The motion was approved. The Commission stated it would reconvene online at 10:37 a.m. and the Commissioners moved into a secure break-out room.

The Commission moved into Executive Session at 10:07 a.m. and reconvened online in public session at 10:37 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 Keen seconded the motion. The Commission adjourned the January 19, 2023 Commission Meeting at 10:38 a.m.

Respectfully submitted,

Lynn M. Retz, Executive Director

Susan K. Duffy, Chair

Dwight D. Keen, Commissioner

Andrew J. French, Commissioner

Kansas
Corporation Commission

ITEMS OF
Consent Agenda

Approval Date: Thursday, January 19, 2023

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 Great Plains Petroleum, Inc. (Operator) to comply with K.A.R. 82-3-407 at the Benjamin SWD #2629 2-19 well in Gray County, Kansas. ***Order Denying Motion for Extension of Deadline***	23-CONS-3133-CPEN	✓
2	In the Matter of the Investigation of ROGER & SONS 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-523-PEN	
3	In the Matter of the Investigation of OPTIC FREIGHT 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. ***Penalty Order***	23-TRAM-524-PEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Investigation of SHAWN'S SIGN SERVICE 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. ***Penalty Order***	23-TRAM-525-PEN	
5	In the Matter of the Investigation of ARLEY TASH dba ARLEY TASH TREE SERVICE, of RIVERTON, 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-527-PEN	
6	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	23-TRAM-5048-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

Transportation Division
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Kansas
Corporation Commission

Phone: 785-271-3145
Fax: 785-271-3124
http://kcc.ks.gov/

Susan K. Duffy, Chair
Dwight D. Keen, Commissioner
Andrew J. French, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number
23-TRAM-5048-TRA

Order Number	Description	Removed
20230113085919	*In the Matter of the Application of TAYLOR OIL INC of WELLSVILLE KS for the Abandonment of Certificate of Public Service.* USDOT #247048 TAYLOR OIL INC of WELLSVILLE KS - Order Granting Request for Abandonment for Certificate of Public Service	
20230113145349	*In the Matter of the Application of J P E TRUCKING LLC of LYONS KS for Authority for a Certificate of Public Service.* USDOT #4000085 J P E TRUCKING LLC of LYONS KS - Order Granting Application for Certificate of Public Service	
20230113145602	*In the Matter of the Application of DELCO & CAROL LLC of OVERLAND PARK KS for Authority for a Certificate of Public Service.* USDOT #3979191 DELCO & CAROL LLC of OVERLAND PARK KS - Order Granting Application for Certificate of Public Service	
20230117095516	*In the Matter of the Application of CANVILLE AGRI SERVICES LLC of CHANUTE KS for a Private Carrier Permit.* USDOT #3747321 CANVILLE AGRI SERVICES LLC of CHANUTE KS - Order Granting Application for a Private Carrier Permit	
20230117101950	*In the Matter of the Application of ACE IGNITION INTERLOCK of LAWRENCE KS for the Abandonment of Certificate of Public Service.* USDOT #3220544 ACE IGNITION INTERLOCK of LAWRENCE KS - Order Granting Request for Abandonment for Certificate of Public Service	
20230117112503	*In the Matter of the Application of STEVE BRUMBACK of FORT SCOTT KS for Authority for a Certificate of Public Service.* USDOT #706840 STEVE BRUMBACK of FORT SCOTT KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 6

End of Report