

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Pat Apple, Chairman
Shari Feist Albrecht
Jay Scott Emler

In the Matter of the Notice of Denial of License) Docket No. 17-CONS-3702-CMSC
Renewal Application to Western Frontier)
Adventure, LLC.) CONSERVATION DIVISION
)
_____) License No. 35211

**ORDER DESIGNATING PREHEARING OFFICER
AND SETTING PREHEARING CONFERENCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On June 19, 2017, Commission Litigation Staff (Staff) filed a Notice of Denial of License Renewal Application to Western Frontier Adventure, LLC (Operator), stating the license application was denied pursuant to K.S.A. 55-155(c)(4).¹
2. On June 29, 2017, Operator, through counsel, filed a Request for a Hearing.²
3. The Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517. The Commission also finds that an initial prehearing conference should be scheduled in this matter.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Dustin L. Kirk, Deputy General Counsel, Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, telephone number 785-271-3198, email address d.kirk@kcc.ks.gov.

¹ Notice of Denial, Jun. 19, 2017.

² Request for Hearing, Jun. 29, 2017.

B. A Prehearing Conference shall be held on **September 5, 2017 at 8:30 a.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN #7632914771.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, and scheduling of a hearing with the Commission.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act (KAPA), K.S.A. 77-501 *et seq.* Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to KAPA.

E. A corporation shall appear before the Commission by a Kansas licensed attorney.³

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: JUL 25 2017



Lynn M. Retz
Secretary to the Commission

Mailed Date: July 25, 2017

DLK/sc

³ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

CERTIFICATE OF SERVICE

I certify that on 7/25/17, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jeffrey A. Wilson
Anderson & Byrd LLP
PO Box 17
Ottawa, KS 66067
Attorneys for Western Frontier Adventure, LLC

Larry Culbertson
Western Frontier Adventure, LLC
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and delivered by e-mail to:

Joshua D. Wright, Litigation Counsel
KCC Central Office

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission