

**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

PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, the Prehearing Officer makes the following findings:

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, the Operator filed a request for hearing.

3. On July 25, 2017, the Commission issued the Order Designating Prehearing Officer and Setting Prehearing Conference.

4. On October 17, 2017, the Prehearing Officer convened the Prehearing Conference and the Parties agreed to the following procedural schedule:

Staff's Pre-filed Direct Testimony	December 11, 2017
Operator's Pre-filed Direct Testimony	December 29, 2017
Discovery Cut-off	December 29, 2017
Rebuttal Testimony	January 8, 2018
Evidentiary Hearing before the Commission 266 N. Main, Suite 220, Wichita, Kansas 67202	January 18, 2018, 10:00 a.m.

¹ Notice of Denial at 1 (Jun. 19, 2017).

5. Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the Parties' direct and rebuttal testimony to the pre-filed testimony.

6. Any person requiring special accommodations under the Americans with Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

7. Any party who fails to attend or participate in the evidentiary hearing or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.²

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The procedural schedule set forth in paragraph 4 is adopted.

B. Any Party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 2016 Supp. 77-529(a). The petition shall be filed within 15 days after service of this Order, plus three days if by mail service, and must state the specific grounds upon which relief is requested.³ The petition shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202.

C. The Commission retains jurisdiction over the subject matter and Parties for the purpose of entering such further orders as it deems necessary.

Dated: October 23, 2017

/s/ Dustin L. Kirk
Dustin L. Kirk
Prehearing Officer

² K.S.A. 77-516(c)(8); K.S.A. 77-520.

³ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 77-529(a)(1); *see* K.S.A. 66-118b.

CERTIFICATE OF SERVICE

I certify that on October 23, 2017, I caused a complete and accurate copy of this Prehearing Officer Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

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and delivered by e-mail to:

Jonathan R. Myers, Litigation Counsel
KCC Central Office

Dustin L. Kirk, Deputy General Counsel
KCC Topeka Office

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission