

**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 failure of Benjamin M.) Docket No.: 18-CONS-3057-CPEN
Giles (“Operator”) to comply with K.A.R. 82-)
3-111 at the Paulsen #1 in Butler County,) CONSERVATION DIVISION
Kansas.)
_____) License No.: 5446

**MOTION FOR CONTINUANCE OF PROCEDURAL DEADLINES
AND EVIDENTIARY HEARING**

Commission Staff (Staff) of the State Corporation Commission of the State of Kansas (Commission) files this Motion for a continuance of the procedural deadlines and the evidentiary hearing in this docket. In support of its Motion, Staff states as follows:

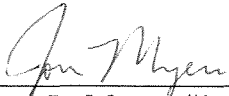
1. On August 1, 2017, Operator was penalized. On September 5, 2017, Operator timely requested a hearing. On November 8, 2017, the prehearing officer issued an order setting a procedural schedule. The discovery cut-off is December 29, 2017; Staff’s testimony is due January 22, 2018; Operator’s is due January 29; rebuttal is due February 5; and the evidentiary hearing is scheduled for February 15, 2018.

2. Staff and Operator are in the midst of settlement negotiations, attempting to resolve this and five other open dockets. After consultation with Operator’s counsel, Staff believes this matter may be able to be resolved without the need for an evidentiary hearing. Staff believes a continuance would assist in settlement, and Operator is not opposed.

3. Accordingly, Staff requests the discovery cut-off be moved to January 29, 2018; Staff’s testimony be due February 19; Operator’s due February 26; rebuttal due March 5; and the evidentiary hearing scheduled for March 15, 2018.

WHEREFORE, Staff requests this motion be granted.

Respectfully submitted,



Jonathan R. Myers, #25975

Litigation Counsel

Kansas Corporation Commission


266 N. Main, Suite 220, Wichita, Kansas 67202

Phone: 316-337-6200; Fax: 316-337-6211

VERIFICATION

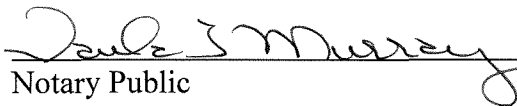
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.



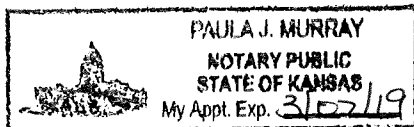
Jonathan R. Myers, S. Ct. #25975
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 2 day of Jan, 2018.



Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

I certify that on 11/2/18, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jonathan A. Schlatter
Morris Laing Evans Brock & Kennedy Chtd.
300 N. Mead, Suite 200
Wichita, KS 67202
Attorney for Benjamin M. Giles

and delivered by e-mail to:

Jonathan R. Myers, Litigation Counsel
KCC Central Office

Dustin L. Kirk, Deputy General Counsel
KCC Topeka Office

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