

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Failure of Agricultural) Docket No: 19-CONS-3180-CPEN
Energy Services (“Operator”) to comply)
with K.A.R. 82-3-107 and K.A.R. 82-3-130) CONSERVATION DIVISION
at the Don Thorp #3-23 in Seward County,)
Kansas.) License No: 34089

PREHEARING OFFICER ORDER CONTINUING PREHEARING CONFERENCE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On November 27, 2018, the Commission issued a *Penalty Order* against Agricultural Energy Services (Operator) for one violation of K.A.R. 82-3-107 and K.A.R. 82-3-130, for failure to submit a complete and accurate well completion report for the subject well, with associated documents, within 120 days of the spud date.¹

2. On December 6, 2018, the Operator requested a hearing through counsel, Lee Thompson.²

3. On December 20, 2018, an *Order Designating Prehearing Officer and Setting Prehearing Conference* set a Prehearing Conference for January 10, 2019.³

4. At the January 10, 2019 Prehearing Conference, the parties discussed possible resolution of this matter, and thus, the Prehearing Officer finds the Prehearing Conference should be continued to Thursday, February 14, 2019 at 10:30 a.m.

¹ *Penalty Order*, ¶ 10 (Nov. 27, 2018).

² Entry of Appearance and Request for Hearing of Lee Thompson Behalf of Agricultural Energy Services, LLC (Dec. 6, 2018).

³ *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B (Dec. 20, 2018).

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The Prehearing Conference is continued to **Thursday, February 14, 2019, at 10:30 a.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN: 7632914771#.

B. 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 the Kansas Administrative Procedure Act.⁴

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁵

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

Dated: January 11, 2019

/s/ Michael J. Duenes

Michael J. Duenes
Prehearing Officer

MJD

⁴ K.S.A. 77-516(c)(8); K.S.A. 77-520.

⁵ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-CONS-3180-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 01/11/2019.

MONTGOMERY ESCUE
AGRICULTURAL ENERGY SERVICE INC.
PO BOX 31865
EDMOND, OK 73003-0032
montgomery.escue@agenergy.com

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
m.duenes@kcc.ks.gov

KAREN RITTER
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
k.ritter@kcc.ks.gov

RENE STUCKY
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
r.stucky@kcc.ks.gov

LAUREN WRIGHT, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
l.wright@kcc.ks.gov

LEE THOMPSON, ATTORNEY
THOMPSON LAW FIRM, LLC
D/B/A THOMPSON LAW FIRM, LLC
106 E 2nd Street N
WICHITA, KS 67202
Fax: 316-267-3901
lthompson@tslawfirm.com

/S/ DeeAnn Shupe

DeeAnn Shupe