

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Notice of Denial of) Docket No: 17-CONS-3529-CMSC
License Renewal Application to Agricultural)
Energy Services.) CONSERVATION DIVISION
)
) License No: 34089

PREHEARING OFFICER ORDER STAYING THE PROCEDURAL SCHEDULE

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 May 18, 2017, the Commission designated a Prehearing Officer to address any scheduling or procedural matters pursuant to K.S.A. 77-517(b).
2. On August 7, 2017, the Operator filed a Motion for Summary Judgment and Memorandum in Support.
3. On November 16, 2017, the Commission issued its *Order Setting Procedural Schedule*, setting deadlines for pre-filed testimony and scheduling an evidentiary hearing for February 15, 2018.¹
4. On December 8, 2017, Staff filed its Response to Operator's Motion for Summary Judgment (Staff's Response).
5. On December 22, 2017, the Operator filed a Reply to Staff's Response (Operator's Reply).

¹ *Order Setting Procedural Schedule*, ¶ 2 (Nov. 16, 2017).

6. The Commission has taken up the Operator's Motion for Summary Judgment, as well as Staff's Response and the Operator's Reply, and intends to rule on the Motion. Therefore, the Prehearing Officer finds it prudent to stay the procedural schedule.

THEREFORE, THE PREHEARING OFFICER ORDERS:

- A. The procedural schedule is stayed.
- B. 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, 2018

/s/ Michael J. Duenes

Michael J. Duenes
Prehearing Officer

MJD

MAILED

JAN 11 2018

CERTIFICATE OF SERVICE

I certify that on JAN 11 2018, I caused a complete and accurate copy of this Order to be served via electronic mail, addressed to the following:

Lee Thompson
Thompson Law Firm, LLC
106 East 2nd Street N
Wichita, KS 67202
lthompson@tslawfirm.com

Karl F. Hirsch
Hirsch, Heath & White, PLLC
901 Cedar Lake Blvd.
Oklahoma City, OK 73114
khirsch@hhwlawfirm.com

Jonathan R. Myers, Litigation Counsel
KCC Central Office
j.myers@kcc.ks.gov

Michael Duenes, Assistant General Counsel
KCC Topeka Office
m.duenes@kcc.ks.gov

/s/ DeeAnn Shupe
DeeAnn Shupe

EMAIL

JAN 11 2018