

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

Before Commissioners:                      Dwight D. Keen, Chair  
    Shari Feist Albrecht  
    Susan K. Duffy

In the matter of the failure of Rick Conner    )    Docket No: 19-CONS-3346-CPEN  
(“Operator”) to report activity that occurred    )  
during the 2018 calendar year in compliance    )    CONSERVATION DIVISION  
with K.A.R. 82-3-409.                                    )  
\_\_\_\_\_ )    License No: 34468

**ORDER GRANTING MOTION TO RESCIND PENALTY ORDER**

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 the following:

1.        On April 23, 2019, the Commission issued a *Penalty Order* against Rick Conner (Operator) for one violation of K.A.R. 82-3-409 because Operator failed to file an annual fluid injection report for one well in Chautauqua County.<sup>1</sup>
2.        On May 28, 2019, Operator requested a hearing.<sup>2</sup> On June 6, 2019, the Commission issued an order setting a June 21, 2019, prehearing conference.<sup>3</sup>
3.        On June 17, 2019, Commission Staff (Staff) filed a Motion to Rescind Order, essentially stating that the *Penalty Order* was premised on a mistaken well inventory and that expending resources to prosecute this matter was not in the best interests of the state. Thus, Staff recommended the Commission rescind its *Penalty Order* and close the docket.<sup>4</sup>
4.        Based on the above, the Commission finds Staff’s request to be reasonable, and that the *Penalty Order* should be rescinded.

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<sup>1</sup> Penalty Order, ¶ 5, 9, Exhibit A (Apr. 23, 2019).

<sup>2</sup> Request for Hearing (May 28, 2019).

<sup>3</sup> Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clauses A & B (Jun. 6, 2019).

<sup>4</sup> Motion to Rescind Order (Jun. 17, 2019).

**THEREFORE, THE COMMISSION ORDERS:**

A. Staff's Motion to Rescind Order is granted. The June 21, 2019, prehearing conference is cancelled, and the Commission's April 23, 2019, *Penalty Order* is rescinded.


B. 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).<sup>5</sup>

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

**BY THE COMMISSION IT IS SO ORDERED.**

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 06/20/2019

  
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Lynn M. Retz  
Secretary to the Commission

Mailed Date: 06/20/2019

JRM

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<sup>5</sup> See 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-3346-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail and electronic service on 06/20/2019.

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/S/ DeeAnn Shupe  
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