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 failure of PostRock)	Docket No.: 15-CONS-336-CPEN
Midcontinent Production LLC ("Operator") to comply with K.A.R. 82-3-602 at 27 wells in)	CONSERVATION DIVISION
Neosho, Wilson and Montgomery County,)	
Kansas.)	License No.: 33343
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In the matter of the failure of PostRock)	Docket No.: 15-CONS-357-CPEN
Midcontinent Production LLC ("Operator") to)	
comply with K.A.R. 82-3-608 at 18 wells in)	CONSERVATION DIVISION
Wilson, Montgomery, Neosho and Ness)	
County, Kansas.)	License No.: 33343
	- /	21001100110110110110

ORDER DESIGNATING PREHEARING OFFICER AND SETTING PREHEARING CONFERENCE

- 1. On October 28, 2014, the Commission assessed the captioned Penalty Orders to the operator. The Penalty Orders were mailed on October 30, 2014, and November 4, 2014. On November 26, 2014, the operator timely appealed the Penalty Orders and requested a hearing.
- 2. The Commission is consolidating these dockets due to similarities between them, including the parties, the wells, and the appeals.
- 3. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and that a prehearing conference should be scheduled.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Lane R. Palmateer, Litigation Counsel, Kansas Corporation Commission, 266 N. Main, Ste. 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address <u>l.palmateer@kcc.ks.gov</u>.

- B. A Prehearing Conference is scheduled for Tuesday, December 30, 2014. The Prehearing Conference shall begin at 11:00 a.m. and end by 12:00 p.m., at the Commission's offices, 266 N. Main St., Ste. 220, Wichita, Kansas 67202. Telephonic attendance may be permitted upon advance request. The Prehearing Conference will focus on the development of a procedural schedule for this docket.
- C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.
- D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be held in default under the KAPA.
- E. <u>Pursuant to K.A.R. 82-1-228(d)(2)</u>, corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it shall be held in default under the KAPA.
- F. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number 316-337-6200, email <u>j.myers@kcc.ks.gov</u>.
- G. 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.

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated:

DEC 1 1 2014

Thomas A. Day
Acting Executive Director

LRP

CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

TIFC 1 1 2014

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CERTIFICATE OF SERVICE

I certify that on 13 13 14	, I caused a complete and accurate copy
of this Order to be served via United States mail,	with the postage prepaid and properly
addressed to the following:	

David E. Bengtson Stinson Leonard Street LLP 1625 N. Waterfront Parkway, Suite 300 Wichita, Kansas 67206-6620 Attorney for PostRock MidContinent Production LLC

Stephen L. DeGiusti PostRock MidContinent Production LLC 210 Park Avenue, Suite 2750 Oklahoma City, OK 73102

And delivered by hand to:

Jon Myers and Jonelle Rains Conservation Division Central Office

/s/ Lane R. Palmateer
Lane R. Palmateer
Litigation Counsel
Kansas Corporation Commission