

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

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

In the Matter of the Notice of Denial of License)	Docket No.: 17-CONS-3236-CMSC
Renewal Application to Eastern Kansas)	
Operating, LLC ("Operator").)	CONSERVATION DIVISION
)	
)	License No.: 34971

**ORDER DESIGNATING PREHEARING OFFICER
& SETTING PREHEARING CONFERENCE**

1. On September 30, 2016, Commission Staff issued a Notice of Denial of License Renewal to Operator, stating that individuals associated with Operator are associated with entities that are not in compliance with Commission regulations.
2. On October 12, 2016, Operator filed a request for hearing in this matter.
3. 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). The Commission also finds that an initial prehearing conference should be scheduled in this matter.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be John McCannon, Counsel, Kansas Corporation Commission, 266 N. Main, Suite 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address j.mccannon@kcc.ks.gov.

B. A Prehearing Conference is scheduled December 6, 2016. The Prehearing Conference shall begin at 9:00 a.m. and end by 9:30 a.m., at the Commission's offices, 266 N. Main, Suite 220, Wichita, Kansas 67202. Telephonic attendance may be permitted upon advance

request to the Prehearing Officer. The Prehearing Conference will focus on the development of a procedural schedule.

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. Pursuant to K.A.R. 82-1-228(d)(2), 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.

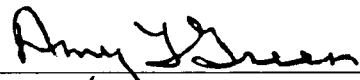
F. The attorney designated to appear on behalf of the agency in this proceeding is Jonathan R. Myers, telephone number 316-337-6200, email address j.myers@kcc.ks.gov.

G. Any person requiring special accommodations under the Americans with Disabilities Act should give notice to the Commission at least 10 days prior to the scheduled hearing date.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: NOV 03 2016



Amy L. Green
Secretary to the Commission

Mailed Date: November 3, 2016

JM

CERTIFICATE OF SERVICE

I certify that on November 3, 2016, 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:

Matthew L. Faul
Lathrop & Gage LLP
2345 Grand Boulevard, Suite 2800
Kansas City, Missouri 64108-2684
Attorneys for Eastern Kansas Operating, LLC

Eastern Kansas Operating, LLC
P.O. Box 13350
Chandler, Arizona 85248

And delivered electronically to:

Jonathan R. Myers
Litigation Counsel

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission