

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

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

In the matter of the application of Charles E. See)	Docket No.: 17-CONS-3461-CUIC
dba See Oil ("Operator") to amend injection)	
permit E-11,453 by adding repressuring wells S-)	CONSERVATION DIVISION
101, S-104, and S-105 at the Burge Lease,)	
Section 2, Township 28, Range 23 East,)	License No.: 32723
<u>Crawford County, Kansas.)</u>	

**MOTION TO RESTRICT PROTESTANT'S
RIGHT TO TESTIFY AND PRESENT EVIDENCE**

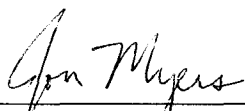
For the following reasons, Commission Staff moves to restrict Lastacia Ross's (Protestant) right to testify and present evidence at the hearing scheduled for May 18, 2017.

1. On March 9, 2017, the Prehearing Officer issued an Order Setting Procedural Schedule, setting a May 5, 2017, deadline for submission of Protestant's pre-filed direct testimony. Protestant failed to submit any testimony.

2. The Prehearing Officer's March 9, 2017, Order states that failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at hearing. Allowing Protestant to testify and present evidence at hearing, despite Protestant's failure to timely utilize pre-filed testimony, and the clear language in the Prehearing Officer's Order regarding the possible consequences, would be both detrimental to judicial economy and prejudicial to Staff.

3. Therefore, pursuant to the Prehearing Officer's March 9, 2017, Order, Staff requests that Protestant not be allowed to testify or present evidence at the hearing currently scheduled for May 18, 2017.

Respectfully submitted,



Jonathan R. Myers, #25975
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Suite 220
Wichita, Kansas 67202
Phone: 316-337-6200; Fax: 316-337-6211

CERTIFICATE OF SERVICE

I certify that on 5/10/17, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Timothy E. McKee
Amy Fellows Cline
Triplett, Woolf & Garretson, LLC
2959 N. Rock Road, Suite 300
Wichita, Kansas 67226
Attorneys for Charles E. See, dba See Oil

Mark T. Lair
P.O. Box 511
Chanute, Kansas 66720
Attorney for Charles E. See, dba See Oil

Lastacia Ross
P.O. Box 1444
Pittsburg, Kansas 66762

And delivered by email to:

Dustin Kirk
Prehearing Officer/Assistant General Counsel



Jonathan R. Myers
Litigation Counsel
Kansas Corporation Commission