

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Susan K. Duffy

In the matter of the failure of Haas Petroleum,) Docket No: 21-CONS-3193-CPEN
LLC (Operator) to comply with K.A.R. 82-3-)
407 at its Bahr #6 A, Burke A #WI-16, Luthi) CONSERVATION DIVISION
Dale #2 and Phillips #K 13 wells.)
_____) License No: 33640

PRESIDING OFFICER ORDER
DENYING MOTION FOR PROPOSED DEFAULT ORDER
AND GRANTING MOTION TO RESCHEDULE PREHEARING CONFERENCE

On March 16, 2021, the Commission issued a Penalty Order in this matter. On April 16th Operator requested a hearing. On April 27th the Commission set a May 13th prehearing conference and directed Operator to attend via licensed attorney. Operator failed to attend the prehearing conference. On May 17th Commission Staff motioned for a proposed default order due to Operator's non-attendance. On May 19th counsel entered an appearance on behalf of Operator, and on May 21st Operator motioned to reschedule the prehearing conference.

In its motion, Operator states its counsel, although retained, had not yet discovered the order setting the prehearing conference at the time the conference occurred. Operator states it has conferred with Staff, and Staff is in agreement with the request to reschedule and has agreed to withdraw its request for a default order. While Staff has not yet withdrawn its motion, the law generally disfavors default,¹ and based upon Operator's representation of Staff's position, the Presiding Officer finds rescheduling this matter to coincide with the procedural track of Docket 21-3201 to be appropriate.

Accordingly, Staff's motion for a proposed default order is denied, and Operator's motion to reschedule the prehearing conference is granted. A prehearing conference is scheduled for **Thursday**,

¹ See, e.g., *Garcia v. Ball*, 303 Kan. 560 (2015).

June 10, 2021, at 2:00 p.m.² The conference call information is telephone number: (866) 620-7326, Conference Code PIN: 3902542751. At the prehearing conference, parties shall be prepared to discuss all issues that will promote the orderly and prompt resolution of these proceedings.

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: May 27, 2021

/s/ Jonathan R. Myers
Jonathan R. Myers
Presiding Officer

² The Presiding Officer notes parties are already scheduled to appear before him at the same date and time, via the same conference call information, in Docket 21-CONS-3201-CPEN.

CERTIFICATE OF SERVICE

21-CONS-3193-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 05/27/2021.

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/S/ DeeAnn Shupe

DeeAnn Shupe