

**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 Norman H.) Docket No: 18-CONS-3126-CPEN
Mills (Operator) to comply with K.A.R.)
82-3-120.) CONSERVATION DIVISION
)
_____) License No: 35223

**ORDER DESIGNATING PREHEARING OFFICER AND
SETTING PREHEARING CONFERENCE**

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 and concludes as follows:

1. On August 31, 2017, the Commission issued a Penalty Order to Norman H. Mills (Operator) finding one violation of K.A.R. 82-3-120 because an unplugged well, or unplugged wells, remain on Operator's expired license.¹

2. On September 20, 2017, the Operator requested a hearing.

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 a Prehearing Conference should be scheduled.

4. Although a Prehearing Officer is designated in this docket, parties are still required to file pleadings with the Commission, and filings shall be made with the Commission's Docket Room before 5:00 p.m. on the date scheduled for service. Any electronic service received after the deadline set forth in the procedural schedule, or any filing made after 5:00 p.m. on the date scheduled for service, shall be accompanied by a Motion to File Out-of-Time.

¹ Penalty Order, Aug. 31, 2017, ¶ 9.

5. The Commission requests the parties consent to electronic service in this proceeding by emailing the Prehearing Officer to affirm consent.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Samuel Feather, Deputy General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604-4027, telephone number (785) 271-3240, email address s.feather@kcc.ks.gov. The Commission may designate other Staff members to serve in this capacity.

B. A Prehearing Conference is scheduled for **February 2, 2018, at 3:00 p.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

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 may be held in default under the KAPA.²

E. A corporation shall appear before the Commission by a Kansas licensed attorney.³

F. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number (316) 337-6245, j.myers@kcc.ks.gov.

² K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

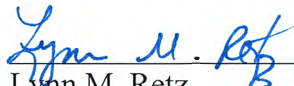
³ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

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, Commissioner; Apple, Commissioner

Dated: JAN 23 2018


Lynn M. Retz
Secretary to the Commission

Date Mailed: _____

SF/sc

Order Mailed Date

JAN 24 2018

CERTIFICATE OF SERVICE

I certify that on JAN 23 2018, I caused a complete and accurate copy of this Order to be served by placing the same in the United States mail, postage prepaid, to the following:

Norman H. Mills
c/o Vickie Lukens
104 Abbe Circle
Medicine Lodge, KS 67104

and by email to:

Jonathan R. Myers, Litigation Counsel
KCC Central Office
j.myers@kcc.ks.gov

Michael Duenes, Assistant General Counsel
KCC Topeka Office
m.duenes@kcc.ks.gov

/s/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

JAN 24 2018