

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

motion for a Default Order.<sup>4</sup> Staff stated that “Prehearing Officer Feather accepted Staff’s verbal motion for default but no order has been issued.”<sup>5</sup>

6. K.S.A. 77-520 provides that if a party fails to attend any stage of an adjudicative proceeding, the agency may issue a default order with a statement of the grounds. Within seven days after service of a proposed default order, the party against whom it was issued has seven days to file a written motion to vacate, which shall state the grounds relied upon.

7. Pursuant to K.S.A. 77-520(a), the Commission finds the Operator’s failure to attend the Prehearing Conference constitutes default. Thus, Staff’s request for a Default Order is granted

**THEREFORE, THE COMMISSION ORDERS:**

A. Staff’s Renewed Motion for Default Order is granted.

B. Pursuant to K.S.A. 77-520(b), any party may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order, with three additional days added to account for service by mail.

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 06/28/2018



Lynn M. Retz  
Secretary to the Commission

Mailed Date: 06/29/2018

MJD

<sup>4</sup> Renewed Motion for Default Order, ¶ 4 (Apr. 10, 2018) (Renewed Motion).

<sup>5</sup> Renewed Motion, ¶ 4.

**CERTIFICATE OF SERVICE**

17-CONS-3653-CMSC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of  
electronic service on 06/28/2018.

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/S/ DeeAnn Shupe  
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DeeAnn Shupe