

**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 Failure of NPF Energy Corporation ("Operator") to comply with K.A.R. 82-3-603 at the Brainerd Tank Battery, Quinn Tank Battery, and Toews A #1 well in Butler County, Kansas.) Docket No. 17-CONS-3406-CPEN
)
) CONSERVATION DIVISION
)
) License No. 3182

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

1. On January 5, 2017, the State Corporation Commission of the State of Kansas (Commission) issued a Penalty Order against NPF Energy Corporation (Operator) alleging three violations of K.A.R. 82-3-603(e) because Operator did not clean up three identified spills in a timely manner on the Brainerd lease, Quinn lease and the Toews A #1 well. The Commission also notes that in KCC Docket 15-CONS-455-CPEN, Operator was penalized for failure to clean up a spill in a timely manner, making the spills in the present matter Operator's second, third and fourth violation of K.A.R. 82-3-603(e) in the last three years.

2. On January 25, 2017, Operator filed a Request for Hearing.

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 Dustin L. Kirk, Deputy General Counsel, Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, telephone number 785-271-3198, email address d.kirk@kcc.ks.gov.

B. A Prehearing Conference shall be held on **March 7, 2017 at 1:30 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, and scheduling of a hearing with the Commission.


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), K.S.A. 77-501 et seq. Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to KAPA.

E. A corporation shall appear before the Commission by a Kansas licensed attorney.¹

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: FEB 02 2017



Amy L. Green
Secretary to the Commission

Mailed Date: February 2, 2017

DLK/sc

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

CERTIFICATE OF SERVICE

I certify that on 2/2/17, 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:

Pat H. Cochran
NPF Energy Corporation
PO Box 3827
Tustin, CA 92781-3827

and delivered by e-mail to:

Dan Fox
KCC District #2

Jonelle Rains
KCC Central Office

Jonathan R. Myers, Litigation Counsel
KCC Wichita

Dustin L. Kirk, Deputy General Counsel
KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission