

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the matter of the failure of Agricultural) Docket No: 20-CONS-3021-CPEN
Energy Services (“Operator”) to comply with)
K.A.R. 82-3-111 at the Langhofer #1 in Seward) CONSERVATION DIVISION
County, Kansas.)
_____) License No: 34089

PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On July 18, 2019, the Commission issued a *Penalty Order* against Agricultural Energy Services (Operator) for one violation of K.A.R. 82-3-111 because the Langhofer #1 had been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for temporary abandonment status.¹ On August 20, 2019, Operator requested a hearing.²

2. At a September 13, 2019, prehearing conference, all parties agreed to the following procedural schedule:

Commission Staff Pre-Filed Direct Testimony	Due: October 7, 2019
Discovery Cut-Off	Due: October 7, 2019
Operator Pre-Filed Direct Testimony	Due: October 21, 2019
Rebuttal Testimony	Due: November 4, 2019
<u>Evidentiary Hearing before the Commission</u>	November 15, 2019, 10:00 a.m.
266 N. Main, Suite 220, Wichita, Kansas 67202	

¹ See *Penalty Order*, ¶¶ 6, 10 (Jul. 18, 2019).

² Written Request for Hearing (Aug. 20, 2019).

3. Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

4. Any settlement agreement the parties wish to present for Commission consideration shall be due by November 5, 2019.

5. Any person requiring special accommodations under the Americans with Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

6. Any party who fails to attend or participate in the evidentiary hearing or any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.³

7. A corporation shall appear before the Commission by a Kansas licensed attorney.⁴

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The procedural schedule set forth in Paragraph 2 above is adopted.

B. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: September 17, 2019

/s/ Jonathan R. Myers

Jonathan R. Myers
Prehearing Officer

JRM

³ K.S.A. 77-518(c)(8); K.S.A. 77-520.

⁴ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

CERTIFICATE OF SERVICE

20-CONS-3021-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 07/17/2019.

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/S/ DeeAnn Shupe

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