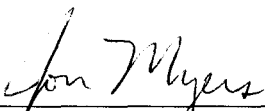


3. Staff denies Gary D. Cude's and Summer Sun's statement that Staff has been denied access to the Brown #2. Further, at no time have Gary D. Cude or Summer Sun sought the aid of Commission Staff in obtaining access to the well, although Summer Sun has spoken to Staff regarding eventually seeking such aid if necessary.

4. Staff strongly opposes the substitution of John Brown and Ronald E. Brown for Summer Sun in this proceeding. The evidence Staff intends to present will clearly demonstrate that Summer Sun is responsible for the Brown #2 pursuant to K.S.A. 55-179(b). Multiple parties may be responsible for abandoned wells, and the question of whether John Brown or Ronald E. Brown may also be responsible for the well does not absolve Summer Sun of its responsibility pursuant to statute. At a minimum, the issues in this case provide a mixed question of fact and law, in a situation where given the current stage of the proceeding, no facts have been presented to the Commission. Thus, it would be inappropriate to remove Summer Sun from the proceeding. Staff should be allowed to present its case at hearing, and if Summer Sun disputes responsibility for the Brown #2, it may present its case as well.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I certify that on 10/20/16, I caused a complete and accurate copy of this Response to be served via United States mail, with the postage prepaid and properly addressed to the following:

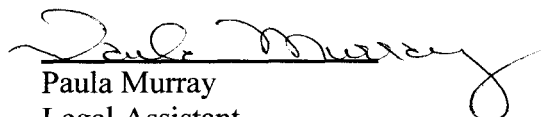
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And delivered by email to:

John McCannon
Conservation Division Central Office


Paula Murray
Legal Assistant
Kansas Corporation Commission