## BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:	Dwight D. Keen, C Shari Feist Albrech Susan K. Duffy		r
IN THE MATTER OF THE FAILURE OF QUITO, INC. ("OPERATOR") TO COMPLY		)	DOCKET NO. 19-CONS-3271-CPEN
WITH K.A.R. 82-3-111 AT THE SOLOMON #3 AND SOLOMON #5 IN CHAUTAUQUA			CONSERVATION DIVISION
COUNTY, KANSAS.		)	LICENSE NO. 33594
IN THE MATTER OF TH	HE FAILURE OF	`	DOCKET NO. 19-CONS-3272-CPEN
QUITO, INC. ("OPERATO		)	DOCKET NO. 17-CONS-3272-CLEN
WITH K.A.R. 82-3-111 AT THE DOTY #3 IN		)	CONSERVATION DIVISION
CHAUTAUQUA COUNTY,	, KANSAS.	)	LICENSE NO. 33594

## **MOTION TO COMPEL**

COMES NOW Quito, Inc., and files its Motion to Compel in these dockets. In support of its Motion to Compel, Quito, Inc., submits the following:

- 1. The Commission Staff has yet to provide any information in response to Data Request No. 2.
- 2. It is will be impossible to prepare for hearing without having received that information, which was requested of Commission Staff by Quito, Inc., on June 4<sup>,</sup> 2019, and which has not been objected to to date.
- 3. In light of the procedural schedule ordered herein, Quito, Inc., is required to file its Motion to Compel in the referenced dockets.

WHEREFORE, Quito, Inc., requests that the Commission Staff be forced to comply with Data Request No. 2, and for such additional and further relief as the Commission may find appropriate.

Respectfully submitted,

MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, L.L.P.

By: s/Stanford J. Smith, Jr.

Jeff Kennedy, #12099 Stanford J. Smith, Jr., #11353 645 East Douglas, Suite 100 Wichita, KS 67202 Telephone: (316) 265-9311

Facsimile: (316) 265-2955 jkennedy@martinpringle.com sjsmith@martinpringle.com
Attorneys for Quito, Inc.

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 2nd day of October, 2019, the Prefiled Testimony of Mark McCann was electronically filed and served to the following by means of electronic service:

Lauren N. Wright, Esq. Litigation Counsel Kansas Corporation Commission 266 North Main, Suite 220 Wichita, KS 67202 l.wright@kcc.ks.gov

Jonathan R. Myers Assistant General Counsel Kansas Corporation Commission 266 North Main, Suite 220 Wichita, KS 67202 j.myers@kcc.ks.gov

s/Stanford J. Smith, Jr.
Stanford J. Smith, Jr., #11353