

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

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

In the matter of the failure of Prairie Gas) Docket No: 20-CONS-3220-CPEN
Operating, LLC ("Operator") to comply with)
K.A.R. 82-3-111 at the Watson Farms #1,) CONSERVATION DIVISION
Monroe #2-4H, and Fecht D #1 in Greeley)
County, Kansas.) License No: 35442

PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE

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 February 13, 2020, the Commission issued a *Penalty Order* against Prairie Gas Operating, LLC (Operator) for three violations of K.A.R. 82-3-111 because three wells 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 March 13, 2020, Operator requested a hearing.²

2. At a May 28, 2020, prehearing conference, all parties consented to the electronic service of all documents³ and orders.⁴ Therefore, the Prehearing Officer directs that service of all documents and orders may be made by email. To the extent practicable, any electronically served document or order shall be attached to the email and served in pdf format. Service of orders is complete upon transmission.⁵ Parties are encouraged to make sure large pdf files do not result in delivery failure and to work together to resolve any email-based service issues.

¹ See *Penalty Order*, ¶¶ 6, 12 (Feb. 13, 2020).

² See Written Request for Hearing (Mar. 13, 2020).

³ See K.S.A. 77-519; *Amended Order Authorizing Use of Electronic Service*, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁴ See K.S.A. 77-531.

⁵ See K.S.A. 77-531(b).

3. As of this date, these are the email addresses for the parties and prehearing officer:⁶

- a. Commission Staff: Kelcey Marsh, k.marsh@kcc.ks.gov;
- b. Operator: Lee Thompson, lthompson@tslawfirm.com; and
- c. Prehearing Officer: Jonathan R. Myers, j.myers@kcc.ks.gov.⁷

4. The Prehearing Officer notes that filing of documents with the Commission must still be done either through the Commission's "e-filing express" system, or by mail or hand delivery to the Commission.⁸ The Prehearing Officer orders that if a document is filed by mail or hand delivery, only the original copy must be supplied.⁹ The Commission, however, strongly encourages parties to file through the "e-filing express" system.¹⁰

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: June 4, 2020

/s/ Jonathan R. Myers
Jonathan R. Myers
Prehearing Officer

JRM

⁶ Parties, through counsel, have consented to service of orders only through counsel. *See* K.S.A. 77-531(a).

⁷ *See Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause A (May 12, 2020).

⁸ *See Amended Order Authorizing Use of Electronic Filing*, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁹ *See id.*, ¶ 3.

¹⁰ *Id.*, ¶ 4.

CERTIFICATE OF SERVICE

20-CONS-3220-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 06/04/2020.

FRED MACLAREN
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Fax: 785-271-3354
e.maclaren@kcc.ks.gov

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
k.marsh@kcc.ks.gov

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
j.myers@kcc.ks.gov

MICHELE PENNINGTON
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Fax: 785-271-3354
m.pennington@kcc.ks.gov

IAN B. ACREY
Prairie Gas Operating, LLC
PO BOX 2170
TULSA, OK 74101
iacrey@pge-llc.com

LEE THOMPSON, ATTORNEY
THOMPSON LAW FIRM, LLC
D/B/A THOMPSON LAW FIRM, LLC
1919 N Amidon Avenue, Ste 315
WICHITA, KS 67203-1480
Fax: 316-267-3901
lthompson@tslawfirm.com

/s/ DeeAnn Shupe

DeeAnn Shupe

* Denotes those receiving the Confidential version