

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

Before Commissioners: Mark Sievers, Chairman
 Ward Loyd
 Thomas E. Wright

In the Matter of the Application of Mid-)
America Pipeline Company, LLC for the)
Establishment of Initial General) Docket No. 12-MDAP-068-RTS
Commodity Transportation Rates on its)
Conway to Coffeyville and Coffeyville)
to El Dorado Segments.)

**ORDER GRANTING MOTION(S) FOR TEMPORARY WAIVER OF FILING
REQUIREMENT OF K.A.R. 82-10-2 and WAIVER OF 30-DAY NOTICE
REQUIREMENT OF K.A.R. 82-1-214; and AGREEING TO TEMPORARY
WAIVER OF TIME PERIODS PROVIDED FOR UNDER K.S.A. 66-117**

The above captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. BACKGROUND

1. On July 25, 2011, Mid-America Pipeline Company, LLC (MAPL) filed its Application in this matter, which included a Motion for Temporary Waiver of the requirement under K.A.R. 82-10-2 that testimony be filed simultaneously with the Application. MAPL's Motion requested that the Commission temporarily waive the requirement of K.A.R. 82-10-2 that testimony be filed simultaneously with the Application, allowing the company to file its testimony on August 19, 2011.

2. On July 29, 2011, MAPL, at the request of the Commission Staff (Staff), filed a separate Motion requesting waiver of the 30-day notice requirement of K.A.R. 82-1-214 which requires that the Commission receive "...written notification of the intent to file the application no fewer than 30 and not more than 90 days before the application filing date." MAPL's notice

to the Commission on July 20, 2011 of the company's intent to commence a rate proceeding explained that it would file the application on or about July 25, 2011, but that the application would request a waiver of the testimony filing requirements until August 19, 2011. MAPL's Notice Letter stated that the application would not be considered fully submitted by the company until August 19, 2011, a full thirty days after the Notice Letter was served.

3. Also on July 29, 2011, MAPL filed its Agreement to Extend or Temporarily Waive the Time Periods provided for under K.S.A. 66-117 (Agreement). K.S.A. 66-117(c)(3) allows a public utility and the Commission to agree to a waiver or extension of the 240-day period. By its filing, MAPL confirms for the Commission and Staff that MAPL agrees to waive commencement of the 30-day time period and the 240-day time period of K.S.A. 66-117 until August 19, 2011 when its testimony is to be filed. Until August 19, 2011, when MAPL's testimony is to be filed, MAPL considers its Application to be incomplete, and agrees that neither the 30-day period nor the 240-day period under K.S.A. 66-117 have begun to run.

4. On August 3, 2011, Staff filed its Response to MAPL's Motions referenced in paragraphs 1 and 2 above voicing no objection to the Commission granting MAPL's requested temporary waiver of K.A.R. 82-10-2, allowing the company's testimony to be filed on August 19, 2011, and deferring commencement of the 30-day and 240-day timelines provided under K.S.A. 66-117 until August 19, 2011, and waiving the 30-day notice requirement of K.A.R. 82-1-214.

II. DISCUSSION AND FINDINGS

5. The Commission has reviewed MAPL's Motions referenced in paragraphs 1 and 2 above, finds the company's requests made therein to be reasonable, and determines that the Motions should be granted. The Commission further acknowledges and accepts MAPL's

agreement to temporarily waive commencement of the 30-day and 240-day time periods provided under K.S.A. 66-117 for review of MAPL's Application for cost-based rates and interim rates until August 19, 2011, when the company's testimony is to be filed in this matter. Correspondingly, and in accordance with K.S.A. 66-117(c)(3), the Commission agrees to the temporary waiver. There are no objections to MAPL's Motions or its Agreement referenced in paragraphs 1 through 3 above.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The requirement of K.A.R. 82-10-2 that prefiled testimony be filed simultaneously with the filing of the application is hereby temporarily waived, permitting Mid-America Pipeline Company, LLC to file its testimony on August 19, 2011.

B. The requirement of K.A.R. 82-1-214 requiring that written notification of the intent to file an application no fewer than 30 days and not more than 90 days before the application filing date is hereby waived and Mid-America Pipeline Company, LLC's Application shall not be considered fully submitted by the company until August 19, 2011.

C. Pursuant to K.S.A. 66-117(c)(3), commencement of the 30-day and 240-day time periods provided under K.S.A. 66-117 are hereby temporarily waived and suspended until August 19, 2011.

D. A party may file a petition for reconsideration of this Order within 15 days from the date of service of this Order. If service is by mail, service is complete upon mailing and three days shall be added to the above time frame.

E. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chairman; Loyd, Commissioner; Wright, Commissioner

Dated: AUG 17 2011



Patrice Petersen-Klein
Executive Director

ORDER MAILED AUG 17 2011

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
GLENDA CAFER, ATTORNEY CAFER LAW OFFICE, L.L.C. 3321 SW 6TH STREET TOPEKA, KS 66606		
TERRI PEMBERTON, ATTORNEY CAFER LAW OFFICE, L.L.C. 3321 SW 6TH STREET TOPEKA, KS 66606		
JUDY JEWSOME, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		
ANDREW SCHULTE, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		
PATRICIA A TOTTEN MID-AMERICA PIPELINE COMPANY,LLC ENTERPRISE PRODUCTS - COMMERCIAL OPERATIONS 1100 LOUISIANA STE 1400 HOUSTON, TX 77002		
OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		

ORDER MAILED AUG 17 2011

The Docket Room hereby certified that on this ___ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.