

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

Before Commissioners: Pat Apple, Chairman
Shari Feist Albrecht
Jay Scott Emler

In the matter of the failure of Benjamin M.) Docket No: 17-CONS-3684-CPEN
Giles ("Operator") to comply with K.A.R.)
82-3-104 and K.A.R. 82-3-111 at the Flying) CONSERVATION DIVISION
J Geer #2 OWWO well in Butler County,)
Kansas.) License No: 5446

ORDER GRANTING MOTION TO EXTEND STAFF'S TIME TO RESPOND

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission makes the following findings and conclusions:

1. On June 27, 2017, the Commission issued a *Penalty Order* against Benjamin M. Giles (Operator).
2. On July 31, 2017, the Operator filed a Request for Hearing and Motion for Summary Order on the Pleadings.
3. On August 8, 2017, Commission Conservation Staff (Staff) moved the Commission "for an extension of Staff's time to respond to Operator's July 31, 2017, filing."¹ Staff noted that the Staff counsel assigned to this docket has been out of the office, and thus, requires additional time to respond to the Operator's Motion.² Staff also stated that counsel for the Operator has no objection to a one week extension of the deadline to August 17, 2017.³
4. The Commission finds Staff's request for an extension reasonable and grants Staff's Motion.

¹ Motion to Extend Staff's Time to Respond, p. 1 (Aug. 8, 2017).

² *Id.*

³ *Id.*

THEREFORE, THE COMMISSION ORDERS:

A. Staff shall have until August 17, 2017, to respond to the Operator's Motion for Summary Order on the Pleadings.

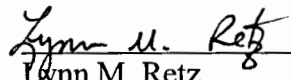
B. Parties have 15 days, plus three days if mailed service, from the date this Order was served in which to petition the Commission for reconsideration.⁴

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

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: AUG 15 2017


Lynn M. Retz
Secretary to the Commission

Date Mailed: August 15, 2017

MJD

⁴ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

I certify that on 8/15/17, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jonathan A. Schlatter
Morris Laing Evans Brock & Kennedy, Chtd.
300 N. Mead, Suite 200
Wichita, KS 67202-2745
Attorney for Benjamin M. Giles

Benjamin M. Giles
346 S. Lulu
Wichita, KS 67211

and delivered by e-mail to:

Joshua D. Wright, Litigation Counsel
KCC Central Office

Michael J. Duenes, Office of General Counsel
KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission