

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

In the matter of whether the license of Thor) Docket No: 24-CONS-3001-CSHO
Operating, LLC (Operator) should be revoked.)
) CONSERVATION DIVISION
)
)
_____) License No: 36020

In the matter of the failure of Quito, Inc.) Docket No: 24-CONS-3072-CPEN
(Operator) to comply with K.A.R. 82-3-120.)
) CONSERVATION DIVISION
)
)
_____) License No: 33594

In the matter of the failure of Quito, Inc.) Docket No: 24-CONS-3086-CMSC
and/or Thor Operating, LLC to comply with)
K.A.R. 82-3-120 and K.A.R. 82-3-133.) CONSERVATION DIVISION
)
)
_____) License Nos: 33594 & 36020

MOTION OF THOR OPERATING, LLC FOR SUMMARY JUDGMENT

COMES NOW Thor Operating, LLC, (hereafter "Thor") and moves the Commission for its Order Granting Summary Judgment in Docket Nos. 24-CONS-3001-CSHO and 24-CONS-3086-CMSC.

Docket No. 24-CONS-3001-CSHO relates to the issue of whether Thor's operator license should be revoked. Docket No. 24-CONS-3086-CMSC asserts that Quito, Inc. (hereafter "Quito") and/or Thor engaged in the operation of an oil production well without a license.

In support of its Motion, Thor shows to the Commission as follows:

STATEMENT OF UNCONTROVERTED FACTS

Thor submits that the following basic facts are uncontroverted in this matter:

1. On February 9, 2023, the application of Quito for renewal of its operator's license was denied by the Commission in Docket No. 22-CONS-3115-CMSC.
2. Following the filing of a KCC License Application (form OPL-1) and payment of an annual license fee of \$100.00, on February 17, 2023, an operator's license was issued to Thor by the Commission.
3. Between April 6, 2023 and May 9, 2023, Request for Change of Operator forms (form T-1) were filed with the Commission for transfer of operator responsibility for various wells on the Appleby, Dearmond, Flossie-White, McFarland-Delong, Morton, Sears, Wall and Williamson leases from Quito to Thor.
4. The transfer of operator responsibility for the wells identified in the T-1s from Quito to Thor on the eight (8) leases has not been administratively approved by Commission Staff to date.
5. On or shortly after May 2, 2023, Thor provided evidence of financial responsibility by posting a Letter of Credit in the amount of \$30,000.00.
6. On July 3, 2023, Commission Staff filed a Motion for the Designation of a Presiding Officer and the Scheduling of a Prehearing Conference in Docket No. 24-CONS-3001-CSHO (hereafter the "Motion").

7. In the Motion, Staff recited its understanding that the “Partner” listed on Thor’s license, Mr. Scott Goetz, was an employee of Quito. Staff’s Motion recited additional facts Staff viewed as suggesting a connection or association between Thor and/or its principal, Scott Goetz, and Quito, and/or its principal, Mark W. McCann.

8. Attached to each of the T-1s on the eight leases were Operating Agreements entered into between Kansas Production Company, Inc., the owner of the working interest in each of the eight leases listed in paragraph 3 above, and Thor.

9. Mark W. McCann is the sole shareholder of Quito and its only officer. Mr. McCann is also the sole shareholder and only officer of Kansas Production Company, Inc..

10. Thor is a limited liability company organized and existing under the laws of the State of Kansas. Scott Goetz is its sole member and manager.

11. Mark W. McCann holds no ownership interest in, and is not an officer, director, partner or member of Thor.

12. Mark W. McCann is not related by blood or marriage to Scott Goetz.

ARGUMENTS AND AUTHORITIES

I. Regulatory Authority of Commission

The Commission has broad authority to regulate oil and gas activities. Under K.S.A. 74-623(a) “The state corporation commission shall have the exclusive jurisdiction and authority to regulate oil and gas activities.” Under K.S.A. 55-152(a) “The

commission shall adopt such rules and regulations necessary for the implementation of this act including provisions for the construction, operation and abandonment of any well and the protection of the usable water of this state from any actual or potential pollution from any well.” Other statutes grant the Commission authority to regulate various aspects of the oil and gas industry, including production of oil to prevent waste or prevent discrimination between oil pools (K.S.A. 55-603, 55-604, 55-605); authority to regulate production of natural gas (K.S.A. 55-703, 55-704, 55-704(b), and 55-706); and authority to regulate disposal of saltwater (K.S.A. 55-901, 55-1003, and 55-1004).

Although the authority of the Commission to regulate various aspects of the oil and gas industry is broad, it is not limitless. Administrative agencies are creatures of statute and their power is dependant upon authorizing statutes; therefore any exercise of authority claimed by the agency must come from within the statutes. There is no general or common law power that can be exercised by an administrative agency.

Am. Trust Adm’rs v. Sebilus, 273 Kan. 694, 44 P.3d 1253 (2002). As noted in Fischer v. Dep’t of Revenue, 317 Kan. 119, 121-22, 526 P.3d 665, 667 (2023):

“As an agency of the executive branch, KDOR derives authority to initiate an agency proceeding—what we call subject matter jurisdiction—from statutes.”

Citing Rodewald v. Kansas Dep’t of Revenue, 296 Kan. 1022, 1038, 297 P.3d 281 (2013); Stutsman v. Kansas Dept. of Revenue, No. 119, 528, 437 P.3d 102, 2019 WL 1303063, at *3 (Kan. App. 2019) (unpublished opinion). In a case involving natural gas sales and

transportation contracts submitted to the Commission by a natural gas public utility, Kan. Pipeline P'ship v. State Corp. Comm'n, 22 Kan. App. 2d 410, 416-17, 916 P.2d 76, 81-82 (1996) it was stated:

"No one contests that the KCC's authority is limited to that conferred by statute." Citing Cities Service Gas Co. v. State Corporation Commission, 197 Kan. 338, 342, 416 P.2d 736 (1966); Kansas-Nebraska Natural Gas Co. v. Kansas Corporation Commission, 4 Kan. App.2d 674, 675, 610 P.2d 121, rev. denied 228 Kan. 806 (1980).

The Commission's power to adopt rules and regulation is a delegation of legislative authority. As was discussed in Gumbhir v. Kansas State Board of Pharmacy, 228 Kan. 579, 618 P.2d 837 (1980), certain rules and regulations of the Board of Pharmacy were challenged on the basis that the legislature had improperly delegated its legislative power to a non-governmental association. In Syl. Paras. 1-4, the Court stated:

"Under Article 2, Section 1 of the Constitution of the State of Kansas the legislative power of this state shall be vested in a house of representatives and senate." Syl. Para. 1.

"The legislature may enact general provisions for regulation and grant to state agencies certain discretion in filling in the details, provided it fixes reasonable and definite standards to govern the exercise of such authority." Syl. Para. 3.

See Boswell, Inc. dba Broad Acres v. Harkins, 230 Kan. 738, 740-41, 640 P.2d 1208 (1982); State ex rel. Stephan v. Finney, 251 Kan. 559, 836 P.2d 1169 (1992).

Expanding upon the principle that state agencies are creatures of statute and in order for their regulation to be valid, the regulation must conform to the delegation of legislative authority granted by statute, it was stated in Marcotte Realty & Auction, Inc. v. Schumacher, 225 Kan. 193, 589 P.2d 570 (1979) that:

“The power to adopt rules and regulations is administrative in nature and in order to be valid must be within statutory authority. If the regulation goes beyond that which the legislature has authorized or it violates the statute, it is void.”

Citing Goertzen v. State Department of Social & Rehabilitation Services, 218 Kan. 313, Syl. Para. 1, 543 P.2d 996 (1975); Hartman v. State Corporation Commission, 215 Kan. 758, 529 P.2d 134 (1974); Amoco Production Co. v. Arnold, Director of Taxation, 213 Kan. 636, 518 P.2d 453 (1974). Also in support of the proposition that administrative regulations must follow the law to be valid, and they cannot contravene a controlling statute, see Bruce v. Kelly, 316 Kan. 218, 514 P.3d 1007 (2022).

II. Governing Statutes

A. Operator Licensing

Thor’s eligibility to obtain and maintain an operator’s license under the statutory authority established by the legislature is first addressed.

K.S.A. 55-155 is the only statute governing issuance and renewal of operator’s licenses. It is adopted under the Act for Protection of Surface and Groundwater, K.S.A. 55-150 through 55-190. With respect to Thor, subsection (c) parts (1), (4), (5) and (6)

are applicable. Nothing in Staff's Motion suggests that Thor did not comply with any of those four subparts in obtaining an operator's license.

Under the criteria established by statute which the legislature has adopted, Thor notes that there is no requirement that a person or entity applying for an operator's license have any particular qualification by way of education, training or experience in drilling or operating oil and gas wells; there are no examinations or tests which the applicant for an operator's license must pass. To qualify for issuance of an operator's license, the statutory provisions under subsection (c) which Thor must satisfy are:

- (1) Provide sufficient information, as required by the Commission, for purposes of identification;

The information required is set forth on form OPL-1, captioned KCC LICENSE APPLICATION. Thor completed form OPL-1 and submitted it to the Commission.

- (4) demonstrate to the commission's satisfaction that the following comply with all requirements of chapter 55 of the Kansas Statutes Annotated, and amendments thereto, all rules and regulations adopted thereunder and all commission orders and enforcement agreements, if the applicant is not registered with the federal securities and exchange commission: (A) the applicant; (B) any officer, director, partner or member of the applicant; (C) any stockholder owning in the aggregate more than 5% of the stock of the applicant; and (D) any spouse, parent, brother, sister, child, parent-in-law, brother-in-law or sister-in-law of the foregoing;

Thor is not registered with the federal securities and exchange commission. Because this was the first operator's license Thor had obtained, it had no opportunity to fail to comply with any of the requirements of chapter 55 and all rules and regulations

adopted thereunder. Nor could any Commission orders and enforcement agreements then have existed that were directed to Thor. There is no suggestion that either Thor or Scott Goetz are in any way non-compliant with the statutes under chapter 55, or the rules and regulations adopted thereunder, so as to be ineligible to obtain and maintain an operator's license. There are no Commission orders or enforcement agreements directed to Thor or Scott Goetz¹.

(5) paid an annual license fee of \$100,...

Thor submitted its license fee with the application.

(6) complied with subsection (d).

Subsection (d) of that same statute addresses financial responsibility. Subsection (d) recites in pertinent part:

"In order to assure financial responsibility, each operator shall annually demonstrate compliance with one of the following provisions".

Thereafter, subparts (1) through (6) identify six alternative methods by which an operator may establish financial responsibility. Thor provided the requisite financial responsibility by posting a letter of credit. The letter of credit was in an amount sufficient to cover the number of wells (over 25 wells less than 2,000 feet in depth) of \$30,000.00 transferred by Quito to Thor. Payment of the \$100.00 annual license fee established Thor's eligibility to be issued an operator's license. Posting of the letter of

¹ See discussion below concerning Docket No. 24-CONS-3086-CMSC.

credit under (d)(4) established Thor's eligibility to accept and receive transfer of the various wells on the eight leases under (c)(6).

After an operator has been licensed for three years, the operator may demonstrate financial responsibility under subsection (d)(3) by simply paying a nonrefundable fee of \$100.00 per year. That subsection provides:

"(d)(3) The operator: (A) Has an acceptable record of compliance, as demonstrated during the preceding 36 months, with commission rules and regulations regarding safety and pollution or with commission orders issued pursuant to such rules and regulations; (B) has no outstanding undisputed orders issued by the commission or unpaid fines, penalties or costs assessed by the commission and has no officer or director that has been or is associated substantially with another operator that has any such outstanding orders or unpaid fines, penalties or costs; (emphasis supplied); and (C) pays a nonrefundable fee of \$100 per year."

The alternate method of establishing financial responsibility identified in subsection (d)(3) simply has no application to or bearing upon Thor's eligibility to obtain and maintain an operator's license, and to accept a transfer of the various wells in this case.

The Commission has adopted a regulation, K.A.R. 82-3-120, which is applicable to operator licensing. The pertinent provision of that regulation applicable to Thor in the present case is subsection (g), which, in substance, is identical to the criteria set out in K.S.A. 55-155 (c)(4)(A) through (D).

B. Transfer of Operator Responsibility

Regarding Thor's eligibility to accept transfer of operator responsibility from Quito for the wells identified on the eight T-1s, the only statutory provision is

subsection (f) of K.S.A. 55-155, which contemplates that transfers of operator responsibility may occur. In pertinent part, it provides:

“(f) If an operator transfers responsibility for the operation of a well...to another person, such operator shall file a notice of transfer of operator with the commission in accordance with rules and regulations of the commission.”

The remainder of that subsection addresses the Kansas Surface Owners Notification Act, and is not of significance to the issues addressed herein.

K.A.R. 82-3-136 is the regulation adopted by the Commission governing transfer of operator responsibility. It states:

“(a) If operator responsibility is transferred, the past operator shall report this transfer to the conservation division within 30 days of the change upon a form prescribed by the commission.

(b) The past operator shall furnish a list of all active and inactive wellbores on the lease, unit, gas storage facility, or secondary recovery unit with the notice of transfer.

(c) Transfers shall not be made to any individual, partnership, corporation, or municipality not currently licensed as an operator, gas gatherer, or gas storage operator.

(d) Within 90 days of any transfer, the new operator shall change the tank battery identification sign provided for in K.A.R. 82-3-126 to show the new operator information.”

Subsection (e) of K.A.R. 82-3-136 provides penalties for violation of this regulation.

K.A.R. 82-3-136 embellishes the statute by fixing time lines for giving the Commission notice of the transfer; the manner and method by which the notice is given; identification of the wells being transferred; eligibility of the transferee to assume

operator responsibility, and the posting of new signage to identify the new operator. Noting in K.S.A. 55-155(f) or K.A.R. 82-3-136 expressly authorizes administrative review of transfers.

K.A.R. 82-3-410 is the regulation adopted by the Commission governing transfer of authority to inject. It provides:

“(a) Authority to operate an injection well shall not be transferred from one operator to another without the approval of the conservation division. The transferring operator shall notify the conservation division in writing, on a form prescribed by the commission and in accordance with K.A.R. 82-3-136, of the intent to transfer authority to operate an injection well from one operator to another. In addition to the requirements of K.A.R. 82-3-136, the written notice shall contain the following information:

- (1) The name and address of the present operator and the operator's license number;
 - (2) the name and location of the well being transferred;
 - (3) the order or permit number and date of the order or permit authorizing injection;
 - (4) the zone or zones of injection;
 - (5) the proposed effective date of transfer;
 - (6) the signature of the present operator and the date signed;
 - (7) the name and address of the new operator and the operator's license number; and
 - (8) the signature of the new operator and the date signed.
- (b) The transferring operator may be required by the conservation division to conduct a mechanical integrity test as a condition of the transfer.

(c) Failure to notify the conservation division of a transfer in accordance with this regulation shall subject the operator to penalties under K.A.R. 82-3-136(e).”

In summary, K.S.A. 55-155(f), K.A.R. 82-3-136 and K.A.R. 82-3-410 are the only statutes and regulations adopted by the legislature or the Commission governing transfer of operator responsibility.

III. Regulatory Review of Transfer of Operatorship

Transfer of operator responsibility under K.S.A. 55-155(f) and K.A.R. 82-3-136 generally appear to be of a ministerial nature. All that K.S.A. 55-155(f) expressly addresses is notice to the Commission of a transfer.

The 2021 amendment of K.S.A. 55-179 addressing legal responsibility for abandoned wells aid in the construction of K.S.A. 55-155(f) and K.A.R. 82-3-136 by clarifying the legislatures’ intent to limit the responsibility to those wells which the new operator expressly accepts.

For purposes of this Motion, it is not necessary to determine whether K.S.A. 55-155(f) and K.A.R. 82-3-136 confer authority to review and approve or disapprove such transfers. Thor simply asserts that the authority of Commission Staff to approve or disapprove such transfers is limited in scope to the express provisions of K.S.A. 55-155(c), insofar as those provisions bear upon the eligibility of the new operator to whom the well or wells are being transferred. In the present case, the scope of appropriate review as to Thor under the statute and K.A.R. 82-3-136 would be:

- (a) Did Quito notify the Commission within 30 days of the change upon a form prepared by the Commission?
- (b) Did Quito furnish a list of wells being transferred to Thor with the T-1 notice?
- (c) Did Thor then hold an operator's license?
- (d) and within 90 days after the transfer, did Thor change the tank battery sign?

Operators are directed to provide the information previously identified on form T-1 through KOLAR. Notice of transfer by electronic filing of the eight T-1s was given to the Commission; Quito furnished a list of wells being transferred on each lease, and as previously discussed, Thor was eligible to receive transfer of operatorship of the wells on the eight leases transferred to it. It has not been asserted by Commission Staff that the transfer of wells on the eight identified oil and gas leases in this matter fail to comply with K.S.A. 55-155(f) or K.A.R. 82-3-136. There is simply no lawful basis to decline to approve the transfer of all production wells from Quito to Thor listed on the various T-1s filed with the Commission in this case.

With respect to authority to inject, Thor recognizes that this authority is subject to approval. That approval would logically come through the underground injection control department. Prior to July 18, 2023, the date identified in Docket No. 24-CONS-3086-CMSC that Staff observed the Sears #30 well, API #15-019-26185, in operation, Thor was not notified by Commission Staff that injection authority had been

disapproved on the Sears Lease. Nor has Thor been notified at any time prior to the date of filing this Motion that injection authority was disapproved².

The T-1 on the various wells listed on the inventory filed with the transfer of the Sears Lease from Quito to Thor was filed with the Commission on or about April 6, 2023, some 103 days prior to July 18, 2023. The Motion in Docket No. 24-3001 states at the end of paragraph 4 that Staff seeks the opportunity to further investigate the applicability of K.S.A. 55-155(c)(4) and K.A.R. 82-3-120(g)(2). The Motion was filed July 3, 2024, just under three months after the T-1 from Quito to Thor transferring the wells on the Sears lease was filed with the Commission. Paragraph 5 of the same Motion states that "Staff does not believe it would be appropriate for an employee of an operator that had its license application denied and revoked by the Commission to continue operating leases owned by that operator on another license." Thor and Scott Goetz dispute the facts alleged in paragraph 5 of the Motion, but even if it were true

² Thor would also note that the provisions of K.A.R. 82-3-136 and K.A.R. 82-3-410 cannot be harmonized. Under K.A.R. 82-3-136, it is the responsibility of the past operator to report the transfer to the Commission "within 30 days of the change". In short, the past operator is required to let the Commission know of the transfer in arrears. By contrast, K.A.R. 82-3-410 is forward-looking. It requires the transferring (past) operator to notify the commission of the "intent to transfer authority to operate an injection well from one operator to another", and requires the transferring/past operator to notify the Commission of "the proposed effective date of transfer", all on the form prescribed under K.A.R. 82-3-136. Examination of the Commissions prescribed form (form T-1) reflects that there is but one area to identify the effective date of transfer.

that Scott Goetz were an employee of Quito, and that Quito owned the leases, those facts would not disqualify Thor or Scott Goetz individually from obtaining and maintaining an operator's license, nor would those facts contravene the provisions of K.S.A. 55-155(f), K.A.R. 82-3-136 and K.A.R. 82-3-410 so as to disqualify the transfers. The contention set forth in paragraph 5 of the Motion asserts a condition which is outside of those factors which the legislature enumerated bearing upon the eligibility of a natural or artificial person to obtain an operator's license. Were the Commission to determine that "an employee of an operator that had its license application denied" is ineligible to obtain a new license, and operate the same leases under the new license, that decision would be far outside of the scope of the factors enumerated under K.S.A. 55-155(c)(4). The Commission's regulatory and administrative authority emanates from the statutes. The legislature has empowered the Commission to adopt rules and regulations for the implementation of the act for protection of surface and ground water. The legislature has established the criteria for operator license eligibility. The transfers of operator responsibility in this matter comply with the statutory and regulatory criteria. To determine that employment relationships between past and new operators constitute a condition which disqualifies a transfer would be tantamount to an amendment of the statute enacted by the legislature establishing the factors which govern license eligibility. Even if it is perceived that the employee is acting as the surrogate of the lease owner or that such transfer circumvents the Commission's Final

Order in Docket No. 22-CONS-3115-CMSC, the Commission's authority remains limited to enforcement of the existing statutory regimen. The proscribed relationships under K.S.A. 55-155(c)(4) are familial/marital; if the legislature desires to prohibit relationships based upon business affiliations, it may do so, but the Commission lacks that authority.

Further in paragraph 5 of the Motion, it is asserted that the connection with Quito causes Staff to have serious doubts that Operator (Thor) will be able to follow the Commission's rules and regulations. Nothing in the statutes, rules or regulations addressed above suggests that the new operator's "compliance probability" should be assessed, weighed or graded. Such speculation does not form the basis for revocation of Thor's license or denial of the transfer of the wells in the present case.

IV. Docket No. 24-CONS-3086-CPEN

On August 28, 2023, Quito received a Notice of Violation letter from Nancy D. Borst, Licensing Department, with attached exhibit A, captioned "Quito, Inc. License: 33594 - Unplugged Wells on Operator's License". A copy of the NOV letter is attached to the Penalty Order in Docket No. 24-CONS-3072-CPEN.

As previously noted, between April 6, 2023 and May 9, 2023, T-1s transferring various wells on the eight leases from Quito to Thor had been submitted, and there was no basis under the existing statute and regulations to decline to approve such transfers. On or shortly after April 6, 2023, Thor assumed operator responsibility for the wells on the Sears lease transferred to it, including the Sears #30, API #15-019-26185, which it

was operating on July 18, 2023, and which it continued to operate on and after August 28, 2023, and until on or about October 3, 2023. Thor notes that in the exhibit A attached to the NOV letter of August 28, 2023, the Sears #30 well continued to be listed on Quito's well inventory despite the fact that it had been transferred by Quito to Thor over five months (144 days) prior to the time of the NOV letter.

Paragraph 11 of the Shut-In and Show Cause Order, Designating a Presiding Officer and Setting a Prehearing Conference states that:

"To date, the wells on the T-1 Forms for the Appleby, Dearmond, Flossie-White, McFarland-Delong, Morton, Sears, Wall, and Williamson leases remain on Quito's inactive and revoked license."

Under the facts of these consolidated dockets, Commission Staff had initiated an investigation by its Motion filed in Docket No. 24-3001. The fact that the investigation was pending as of August 28, 2023 and October 3, 2023, and that therefore the transfer of operator responsibility from Quito to Thor had not been administratively approved or denied forms the factual basis upon which Staff alleges that neither Quito nor Thor had authority to operate the Sears #30 well.

Assuming the authority to administratively approve or deny the transfers of operatorship exists, that authority is here being used by Commission Staff to attempt to penalize Thor, the 'prospective new operator', pending investigation of the issues raised in its Motion. Surely, administrative inaction cannot supply the factual grounds for penalty assessment.

Ironically, the Commission seeks to assess a penalty against Quito for alleged failure to plug or transfer wells on its well inventory in Docket No. 24-3072 while the Commission seeks to assess a penalty against Thor for operating a well transferred to it, but not administratively approved in Docket No. 24-3086.

Even if Commission Staff had not administratively approved or denied the transfer of the Sears #30 well from Quito to Thor as of July 18, 2023, August 28, 2023 or October 3, 2023, Thor was, on each of those dates, operating the well with a current license in compliance with K.A.R. 82-3-120 and K.A.R. 82-3-133. If the object to be obtained is regulatory compliance, inaction in approving or denying a transfer of operator responsibility cannot provide the factual basis for issuance of a Penalty Order.

K.S.A. 55-162(b) provides:

“If it appears to the commission that damage may result if immediate remedial action is not taken, the commission, on the basis of emergency adjudicative proceedings, shall make such orders as provided in subsection (a), or may authorize its agents to enter upon the land where the well is located and take such remedial action necessary pending the giving of notice and hearing in accordance with the provisions of the Kansas administrative procedure act.”

Among the actions authorized under subsection (a)(2) of that statute is that the well or the lease be shut down until the violation is corrected.

Because Thor was eligible to accept and receive operator responsibility for the Sears #30 and other wells transferred to it, there was no damage that may have existed, and no basis to take immediate remedial action to seal the wells.

CONCLUSION

As employment relationships are outside of the scope of the criteria specified by K.S.A. 55-155(c)(4), there is no statutory or regulatory basis to deny the transfer of the various wells from Quito to Thor in this matter; the transfer should be administratively approved, and the docket closed in 24-CONS-3001-CSHO. As there is no basis to deny the transfers to Thor, the Commission should determine that Thor is subject to no penalty in Docket No. 24-CONS-3086-CMSC, and that Penalty Order should be dismissed as against Thor.

JOHN R. HORST, P.A.

By /s/ John R. Horst

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File #3133.1

S.Ct. #09412

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10th day of May, 2024, the above and foregoing Motion of Thor Operating, LLC for Summary Judgment was electronically filed and a copy emailed to:

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