

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of a General Investigation) Docket No.: 17-CONS-3362-CINV
into Potential Commission Rulemaking)
Regarding Responsibility for Abandoned) CONSERVATION DIVISION
Wells.)

**RESPONSE OF WICHITA ASSOCIATION OF PETROLEUM LANDMEN
TO 'REPORT AND RECOMMENDATION OF COMMISSION STAFF'**

COMES NOW, the Wichita Association of Petroleum Landmen (WAPL), and submits its response to the May 31, 2017, Report and Recommendation filed by Commission Staff.

1. WAPL is a participant in this docket, with a pending Petition to Intervene, filed June 8, 2017.
2. This docket was initiated by Staff, who on November 3, 2016, proposed a draft rule on abandoned well responsibility, and asked the Commission to open an investigative docket on the matter. The Commission complied with that request and opened the docket by Order dated November 10, 2016, which order announced a roundtable to be held on November 30, open to persons who notified the Commission by November 21 of their intended participation. Staff's proposal and the Commission's order were mailed to a list of ten (10) individuals.
3. After giving a statement at the Commission's November 30, 2014 roundtable, WAPL filed a written statement with the Commission on December 14, 2016. Attached for convenient reference is WAPL's written statement. [See Exhibit A.] WAPL's position is consistent with existing law, *i.e.*, with the *Quest* case, and the *Denman* opinion issued by the Kansas Court of Appeals. At the roundtable, it is

the recollection of WAPL representatives in attendance, that Staff was the only party who claimed that the *Quest* case has been overruled or nullified. Staff has not referred to specific language from the Court of Appeals or the Commission, for its assertion that the *Quest* case has been overruled. It is WAPL's belief that such language does not exist. Other parties also informed the Commission that *Quest* was not overruled or limited, and that *Quest* remains the valid policy of the Commission.

4. Henceforth, the discussion as it has developed in this docket hinges on the applicability of the *Quest* case and the Court of Appeals' *Denman* opinion to the Commission's enforcement and administration of K.S.A. 55-179. A careful reading of the *Denman* opinion reveals no impact on the *Quest* case, other than an indirect acknowledgment that the Commission has a certain amount of leeway to interpret and apply K.S.A. 55-179; that the Commission is not empowered to interpret private contracts; and that the Commission did not exceed its authority in imposing joint and several liability under that statute. The Commission likewise has taken no action that would repeal or limit the policy announced in the *Quest* case. The Commission's act of issuing an Order to open this investigative docket did not repeal *Quest*, or otherwise change any law or policy. Furthermore, on January 30, 2014, in light of perceived uncertainty of a District Court opinion (now moot) in the *Denman* case, the Commission instructed its Staff to continue to follow the *Quest* case. [See minutes of the Commission's January 30, 2014, meeting, attached hereto as Exhibit B.] Since that time, neither the Commission

nor the courts or legislature have issued any opinion, rule or statute that overrules or limits the *Quest* policy. To date, the *Quest* order remains on the Commission's website under the Abandoned Well information heading.

5. The Staff's May 31, 2017, Report and Recommendation (hereinafter "Staff's Recommendation") stated its opposition to WAPL's position, as well as opposing the positions of every party who appeared and opined to the Commission that the *Quest* policy has not been nullified. In short, the Staff is advocating that the Commission abandon its interpretations and policies that were developed out of years of enforcement activity and experience, through evidentiary proceedings complete with expert testimony and scholarly opinions, and in careful balance with the Commission's statutory duties to prevent waste and protect correlative rights. Staff has provided no valid legal or factual basis for now departing from the *Quest* policy. In reviewing all other position statements in this docket, it appears Staff is the only party who is advocating for the abandonment of the *Quest* policy, and the only party who believes the Court of Appeals in its *Denman* opinion, somehow overruled the *Quest* case.
6. Operators continue to rely on the *Quest* policy, and rightfully so. Staff may be arguing for the Commission to scrap *Quest*, but to date that is Staff's desire and opinion only; not Commission law or policy. For individual oil and gas operators and other persons on whom the Staff wishes to impose abandoned well responsibility, the dilemma today is whether to rely on *Quest* at their risk and peril of harsh enforcement action by a Staff who believes or desires for the

Quest policy to now be invalid. Such risk, confusion and cost, is unfair to the regulated community and to other persons who may be caught up in such attempted enforcement.

7. Staff refers in its filings and proposal in this docket to the *Quest* policy as having ended in 2013. This is incorrect; particularly since we know that the Commission instructed its Staff in January 2014, to continue to follow the *Quest* policy. This also makes the Staff's proposed regulation contrary to law, as it creates historical categories of abandoned wells, based on its assertion that the *Quest* case was somehow overruled in 2013. Such a proposal would result in retroactive rulemaking, which is generally forbidden by law.
8. An oil and gas lease is a private contract. As WAPL explained in its December 14 written statement, operations are defined by statute in Kansas, and do not include the mere holding of a private contract giving the right but not the obligation to conduct physical operations on the property. A lease may or may not lead to oil and gas operations on the covered land, but also doesn't restrict the Commission from administering K.S.A. 55-179 against a past "operator" who may be responsible for a condition on the property. A Landman's role is typically limited to acquiring a lease, and then assigning that lease to a potential operator. To consider a Landman to be a potentially responsible party for abandoned wells on the property, is contrary to existing law in that it exceeds the scope of K.S.A. 55-179 ; is contrary to the Commission existing policy; and does not further any sound public policy.

9. Staff's interpretation of 55-179 to include Landmen as potentially responsible parties, as explained in its Report and Recommendation, is so overbroad, that it would encompass not just Landmen, but also severed mineral interest owners. Such mineral owners are not necessarily 'landowners', but do hold the ultimate exclusive domain over the wells and development on the property. WAPL believes that such an application of the statute is so overbroad as to be unconstitutional.

In summary, the Staff's Report and Recommendation, if adopted, would lead to enforcement action that is contrary to law in that it would be unduly overbroad, retroactive, and as explained in WAPL's December 14, statement, would promote waste, thus violating the Commission's primary statutory duty. Staff's proposal would put a chill on leasing and development by casting the widest possible enforcement net and creating uncertain and excessive risk. Staff's proposal is hostile to the notion of preventing waste and promoting development as is in the public interest of this state.

WAPL believes the Commission's options at this stage are to:

- A. Accept Staff's proposed rule (which WAPL believes would be contrary to law and sound public policy), or
- B. Reject Staff's proposal for being overbroad and contrary to law, public policy, and well-founded Commission policy; and either
 - i. Advise the parties as to appropriate terms it wishes to have incorporated into a new regulation and charge the Oil and Gas Advisory Committee with preparing that proposed rule; or

- ii. Confirm by order or inaction that the Commission's policy is and shall remain as stated in the *Quest* case as supplemented and bolstered by the Court of Appeals in *Denman*.

BASED ON THE FOREGOING, the Wichita Association of Petroleum Landmen, requests the Commission to 1) reject the Staff's proposed rule as being overbroad and contrary to law, public policy, and well-founded Commission policy; and 2) either advise the parties as to appropriate terms it wishes to have incorporated into a new regulation and charge the Oil and Gas Advisory Committee with preparing that proposed rule; or to confirm by order or inaction that the Commission's policy is and shall remain as stated in the *Quest* case as supplemented and bolstered by *Denman*; and 3) for such other and further relief as the Commission may deem just and proper.

Respectfully submitted,

EDMISTON LAW OFFICE, LLC

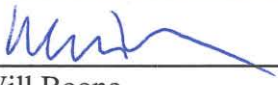
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VERIFICATION

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

Will Boone, of lawful age and being first duly sworn upon his oath, deposes and states:

That he is the President for the Intervenor, Wichita Association of Petroleum Landmen, in the above-captioned docket; that he has read the above and foregoing, knows and understands the contents thereof, and states that the statements and allegations therein contained are true and correct according to his knowledge, information, and belief.



Will Boone

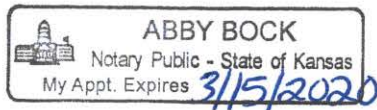
SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 13th day of **June, 2017**.

My commission expires:

3/15/2020



Name Abby Bock
Notary Public



CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this **13th** day of **June, 2017**, she caused the above and foregoing **Response** to be filed with the Kansas Corporation Commission, Conservation Division, in accordance with the Commission's e-filing rules, and that she caused a true and correct copy of the same to be served via US Mail, postage prepaid, or by email where indicated, to the following persons at the addresses shown:

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Diana Edmiston

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In the Matter of a General Investigation) Docket No.: 17-CONS-3362-CINV
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STATEMENT OF
THE WICHITA ASSOCIATION OF PETROLEUM LANDMEN

The Wichita Association of Petroleum Landmen (WAPL) is the non-profit local affiliate of the American Association of Petroleum Landmen (AAPL), an organization of over 18,000 landman members, with 44 local affiliate organizations throughout the United States. The AAPL's mission is to promote the highest standards of performance for all land professionals, and to advance their stature and to encourage sound and ethical stewardship of energy and mineral resources. WAPL has 84 member landmen, many of whom employ additional individuals who also work as landmen throughout the state of Kansas.

Staff's proposed regulation would potentially hold landmen responsible for abandoned wells, so landmen have a direct interest in this proceeding. As the process of developing abandoned well responsibility regulations gets underway, WAPL wishes to stress four (4) points to the Commission:

- The regulations need to be consistent and not in conflict with the Commission's statutory duties to prevent waste, protect correlative rights, and to protect the soils and waters of the state.
- The Commission should continue the policies established in the *Quest* order.

- A person (whether licensed operator or not) who has had no physical contact with a suspected abandoned well on their lease should be encouraged to report that well to the Commission, and should be able to make such report without fear of being held responsible for the well.
- The Commission should work hand-in-hand with industry and other affected persons to develop mutually workable regulations.

Now, to elaborate on several of these points:

1. **The *Quest* case is sound and appropriate policy.** The *Quest* case¹ was the Commission's carefully researched and considered policy that balanced the duties, resources and interests at stake in dealing with abandoned wells. The order was a culmination of the Commission's 10 years of experience in administering and enforcing the abandoned well responsibility and plugging program established by the Kansas Legislature in 1996. The *Quest* order acknowledged the need for, and established *inter alia*,
 - a. A 'safe harbor' reporting mechanism for abandoned wells; and
 - b. That a person who had never had any physical contact with the abandoned well should not be held responsible for the well.
2. **The *Denman* case does not nullify *Quest*.** The Kansas Court of Appeals in the *Denman*² case, did not outlaw the policies established in *Quest*. To the contrary, the Court

¹ *In the Matter to Show Cause on the Commission's Own Motion Issued to Quest Cherokee, LLC with regard to responsibility under K.S.A. 55-179 for plugging abandoned wells on the Mary Douglas Lease in the NW/4 of Section 16, Township 29 South, Range 17 East, Wilson County, Kansas*, Dkt. 07-CONS-155-CSHO (July 16, 2008).

² *Denman v. State Corporation Commission*, 342 P.3d 958 (Kan. App. 2015).

acknowledged to a point, the Commission's authority to interpret and apply KSA 55-179, but not to interpret private contracts (*Denman* at 962).

3. **Staff's draft regulation.** The draft regulation attached to the Commission's roundtable order is overbroad; is not consistent with the *Quest* case; and is not consistent with the Commission's duties to prevent waste, protect correlative rights and protect the soils and waters of the state, and the specific statutory provisions on the Commission's duties.
 - a. There is no statutory, regulatory or public policy basis for casting a net so wide that it would include a landman or any other person who acquired a lease but did not physically come in contact with the well. The Staff's draft rule would potentially impose responsibility on those leaseholders.
 - b. An over-broad rule will de-incentivize leasing and development, and thus would cause waste. There is no oil and gas development without first getting a lease. No land professional will want to acquire a lease if they are going to be faced with abandoned well liability. A typical independent landman has no economic benefit beyond the acquisition of the lease.
 - c. An over-broad rule will lead landmen and others in the chain of title to attempt to legally insulate themselves from liability. This will complicate oil and gas development and the regulatory process.

We saw this in the years leading up to 2004, at which time the

Commission began through the *New Donna Lee* case³, to formulate a balanced

³ *In the Matter of an Order to Show Cause on The Commission's Own Motion Issued to Devon SFS Operating, Inc., Devon Energy Production Company, L.P., New Donna Lee Oil Company and Explorer Resources, Inc. with regard to responsibility under K.S.A. 55-179 for plugging the abandoned wells on the Newman Lease, located in Section 2, Township 31 South, Range 16 East, Montgomery County, Kansas, Docket No. 04-CONS-074-CSHO (June 8, 2004).*

and reasoned abandoned well responsibility policy. Prior to 2004, Landmen and operators had begun using a variety of creative but legal ways to achieve fairness and not saddle themselves with unmanageable exposure to abandoned well responsibility. One such mechanism was to carve out known well bore locations from of new leases. This was legal, but created numerous potential regulatory and operational complications, by the fact that numerous odd and unnecessary ‘lease boundaries’ were created within the overall lease footprint. It frustrated both development and regulation. It did not allow for the KCC to be informed about the location of these wellbores, because the lessee and lessor had no duty or incentive to inform the KCC. The incentive was the opposite—to keep known locations confidential; for fear of being held responsible for a well they had no part in operating or abandoning.

- d. The proposed definition of ‘operator’, and the way that term is used in the proposed draft, is inconsistent with the existing statutory and regulatory definition of ‘operator’ at K.S.A. 55-150(e), and other statutes on which the Commission’s jurisdiction is framed.

The lease acquisition process is not oil and gas ‘operations’ as that term is statutorily defined, but instead is a step that must take place before the operator can commence physical lease operations. The landman’s work is accomplished through research of records maintained at the county courthouse. The landman does not enter the physical location of the lease, and in fact would be considered a trespasser on a property until such time as a lease is obtained. Landmen are

required to work quickly and confidentially until leases are obtained over the entire target area. That stage of potential oil and gas development is highly proprietary and competitive. The landman is typically expected to acquire a lease position before competitors become aware of the interest in that general location.

It is common for a target development area to cover several square miles. In that scenario, dozens of tracts will be leased from their respective owners, but then actual physical operations will likely only be commenced on one or two of those leases. In those projects, nearly all of the leases will never be developed, and will instead expire at the end of their primary terms. Only the leased tract(s) that have actual physical operations will fall under Commission jurisdiction, and then not until the operator has triggered the process, by filing a notice of intent to drill, or other application for authority to conduct operations on the tract.

- e. The provisions in Staff's draft rule that would automatically trigger responsibility based on a historical document will lead to harsh and unfair results. Commission forms and filing requirements have been used by the Commission for different purposes throughout the years. A document that on its face may appear to be an outright assumption of responsibility for a well, might have been prepared and filed for an entirely different purpose. Before retroactively imposing responsibility on a person based on a historical document, an inquiry should be made into the context of that document at the time it was executed.
- f. The provision in Staff's draft rule that would automatically trigger responsibility based on the posting of a sign pursuant to K.A.R. 82-3-126, is not appropriate, as

that regulation is to identify a tank battery. There is no requirement that the sign refer to or describe the entire lease.

4. **The imposition of joint and several responsibility will be counterproductive.** While the *Denman* case acknowledges the Commission's prerogative under K.S.A. 55-179, to hold parties jointly and severally liable for an abandoned well, we believe that in order to achieve the aforementioned objectives, the Commission must identify one primarily responsible party for the well. The provision in Staff's draft to hold parties jointly and severally responsible would serve only to further the risk and uncertainty as to who must ultimately act to resolve the status of the well.
5. **Ongoing communication is essential to the rulemaking process.** For this process to result in an effective rule on abandoned well responsibility, is essential that the Commission, Staff, industry and other affected persons, maintain an open, two-way dialogue. We encourage the Commission to give the Staff the necessary input and direction to develop in consultation with the Oil and Gas Advisory Committee, not the widest possible interpretation of 55-179, but instead a workable application of the statute that is balanced with the Commission's other statutory duties, and the realities of the industry and operations.

CONCLUSION

The above comments are an overview of the concerns from the organization of petroleum landmen who work throughout Kansas to acquire leases to allow for development of oil and gas reserves. We believe it is imperative that these matters be worked out thoroughly between the

industry and other affected persons, and the Commission and Staff, before a final rule is adopted, if that rule is to be effective.

Thank you for allowing the Wichita Association of Petroleum Landmen to participate in this roundtable. We look forward to being an active and valuable participant in the ongoing rulemaking process.

Respectfully submitted,

/s/ Diana Edmiston

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*Attorney for the Wichita Association of Petroleum
Landmen*

Kansas Corporation Commission
Commission Meeting
January 30, 2014
10:00 a.m. 3rd floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

1. The Commission convened the regular scheduled open meeting of the Commission at 10:00 a.m. on January 30, 2014 in the 3rd floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.
2. Present: Chair Albrecht, Commissioner Wright and Commissioner Emler.
3. The following were approved by the Commission:
 - a. **Consent Agenda:** Commissioner Wright moved and Commissioner Emler seconded the motion, the approval of the Consent Agenda: All listed matters for January 30, 2014 on the 5 page document attached hereto as "Attachment A," which is included by reference herein. Chair Albrecht concurred.
 - b. **Noticed Items:**
 - i. **Docket No. 14-CONS-234-CPEN: In the matter of the failure of B-C Steel, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Ankrom #1, Ankrom #5, Ankrom #6, Ankrom #7 and Ankrom #8 wells in Cowley County, Kansas.**

Commissioner Emler moved and Commissioner Wright seconded the motion, to table order #14-0316 Order Granting Motion to Continue the Hearing to February 4, 2014 Chair Albrecht concurred.
 - ii. **Docket No. 14-CONS-294-CUNI: In the matter of the application of BEREXCO LLC for an order authorizing unitization and unit operation of the Leona Unit in Haskell County, Kansas.**

Commissioner Wright moved and Commissioner Emler seconded the motion, to approve order #14-0304 Order Granting Unitization. Chair Albrecht concurred.
 - iii. **Docket No. 13-KEPE-462-CPL: In the Matter of Kansas Electric Power Cooperative, Inc. Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.**

Docket No. 13-KCPE-463-CPL: In the Matter of Kansas City Power & Light Company's Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.

Docket No. 13-WSEE-464-CPL: In the Matter of Westar Energy, Inc. and Kansas Gas & Electric Co., d/b/a Westar Energy's Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.

Docket No. 13-EPDE-465-CPL: In the Matter of Empire District Electric Company's Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.

Docket No. 13-MDWE-466-CPL: In the Matter of Midwest Energy, Inc.'s Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.

Docket No. 13-SEPE-467-CPL: In the Matter of Sunflower Electric Cooperative, Inc.'s Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.

Docket No. 13-KCKE-468-CPL: In the Matter of Kansas City Kansas Board of Public Utilities' Compliance with the Commission's Order in Docket No. 13-GIME-391-GIE.

Commissioner Wright moved and Commissioner Emler seconded the motion, to approve order #14-0293 Order Approving Staff's Report and Recommendation. Chair Albrecht concurred.

- iv. **Docket No. 14-ATMG-298-ACQ: In the Matter of the Application of Atmos Energy for an Extension of Its Certificate of Convenience and Authority to Operate as a Natural Gas Public Utility in an Area Heretofore Owned and Operated by Haines Pipeline Services, Inc. and Serving Customers In and Around Severy, Kansas.**

Commissioner Wright moved and Commissioner Emler seconded the motion, to approve order #14-0295 Order Granting Acquisition and Certificate Extension. Chair Albrecht concurred.

v. **Docket No. 14-ONSP-344-TAR: In the Matter of ONEOK North System, L.L.C. Seeking Commission Approval of Tariff K.C.C. No. 4.3**

Chair Albrecht moved and Commissioner Wright seconded the motion, to approve order #14-0318 with an amendment of no back date and the order changed to reflect January 30, 2014 - Interim Order Approving Tariff Revision. Commissioner Emler concurred.

4. Other Matters: Discussion/Presentation Item(s)

Discussion of Commission Staff's Comments to KDHE on EPA Rulemaking

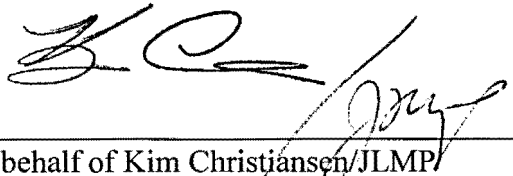
Commissioner Wright moved and Commissioner Emler seconded the motion to allow staff to share comments with KDHE on EPA's rulemaking. Chair Albrecht concurred.

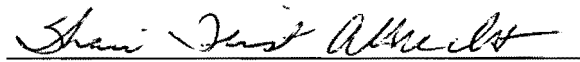
5. Other Matters: Point of Clarification for Staff

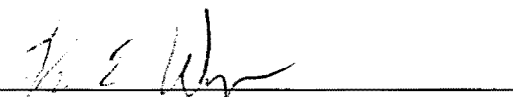
Commissioner Wright moved and Commissioner Emler seconded to clarify with staff to continue to follow the Quest ruling until further legal action occurs. Chair Albrecht concurred.

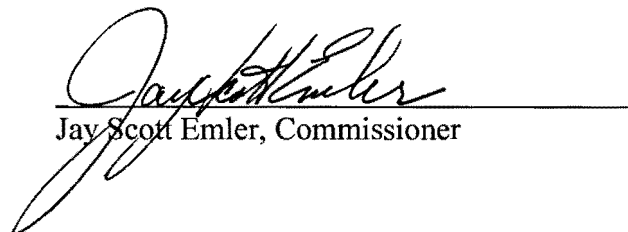
There being no further matters before the Commission, the Commission adjourned at 10:35 a.m.

Respectfully submitted,


On behalf of Kim Christensen/JLMP
Secretary of the Commission


Shari Feist Albrecht, Chair


Thomas E. Wright, Commissioner


Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, January 30, 2014

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Commission Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Commission Meeting agenda for discussion.

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the matter of the application of Taos Resources Operating Company, LLC for an order granting an exception to certain requirements of K.A.R. 82-3-107(e) relating to the West Maddix #9 well located in the Southwest Quarter of Section 2, Township 33 South, Range 5 East, Cowley County, Kansas <i>Order Granting Application</i>	14-CONS-153-CEXC	
2	In the matter of the failure of Buffalo Resources LLC ("Operator") to comply with K.A.R. 82-3-117 at the Beisel Unit #1-6 well in Russell County, Kansas. <i>Penalty Order - Buffalo Resources LLC</i>	14-CONS-523-CPEN	
3	In the matter of the failure of Tom Greer ("Operator") to comply with K.A.R. 82-3-117 at the Brown Unit #9 well in Butler County, Kansas. <i>Penalty Order - Tom Greer</i>	14-CONS-524-CPEN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the matter of the failure of Hillenburg Oil Co., a General Partnership ("Operator") to comply with K.A.R. 82-3-117 at the Lathrop #27, Lathrop S. Lathrop #20 and Lathrop #3-6 wells in Butler County, Kansas. <i>Penalty Order - Hillenburg Oil Co., a General Partnership</i>	14-CONS-525-CPEN	
5	In the matter of the failure of Rick Housel dba Rick's Well Service ("Operator") to comply with K.A.R. 82-3-117 at the Harney #5, Harney #4, Harney #7, Harney #21 and Harney #3 wells in Montgomery County, Kansas. <i>Penalty Order - Rick Housel dba Rick's Well Service</i>	14-CONS-526-CPEN	
6	In the matter of the failure of Lyons & Lyons, Inc. ("Operator") to comply with K.A.R. 82-3-117 at the Newell #1 well in Pratt County, Kansas. <i>Penalty Order - Lyons & Lyons, Inc.</i>	14-CONS-527-CPEN	
7	In the matter of the failure of Mid-Continent Energy Corp. ("Operator") to comply with K.A.R. 82-3-117 at the McClure Farms #1 well in Stafford County, Kansas. <i>Penalty Order - Mid-Continent Energy Corp.</i>	14-CONS-528-CPEN	
8	In the matter of the failure of Prospect Oil & Gas Corp. ("Operator") to comply with K.A.R. 82-3-117 at the Crawford #1 well in Russell County, Kansas. <i>Penalty Order - Prospect Oil & Gas Corp.</i>	14-CONS-529-CPEN	
9	In the matter of the failure of Richlan Drilling, a General Partnership ("Operator") to comply with K.A.R. 82-3-117 at the Knoll A #2 well in Graham County, Kansas. <i>Penalty Order - Richlan Drilling, a General Partnership</i>	14-CONS-530-CPEN	
10	In the matter of the failure of T.C.G. Oil Co., a General Partnership ("Operator") to comply with K.A.R. 82-3-117 at the Burke # W 0 1, Burke #W 3 and Burke #W 4 wells in Anderson County, Kansas. <i>Penalty Order - T.C.G. Oil Co., a General Partnership</i>	14-CONS-531-CPEN	
11	In the matter of the failure of Viva International, Inc. ("Operator") to comply with K.A.R. 82-3-117 at the Cox #1-9 well in Linn County, Kansas. <i>Penalty Order - Viva International, Inc.</i>	14-CONS-532-CPEN	
12	In the matter of the application of OXY USA, Inc. for an order deleting from the Hick Mississippi Oil Pool Basic Proration Order all of Section 26, Township 30 South, Range 35 West, Grant County, Kansas, and establishing for the Mississippi common source of supply underlying said section a new Basic Proration Order to be known as the Gilmore Mississippi Chester Oil Pool. <i>Order to Dissolve Gilmore Mississippi Chester Oil Pool Basic Proration Order</i>	14-CONS-190-CBPO	

Consent Agenda


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
13	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 35-27S-38W (SE/4), Section 36-27S-38W (SW/4) , Section 1-28S-38W (NW/4), Section 2-28S-38W (NE/4) in Grant County, Kansas. (ATU 170) Order Granting Unitization	14-CONS-253-CUNI	
14	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 29-28S-38W (SE/4), Section 28-28S-38W (SW/4) , Section 33-28S-38W (NW/4), Section 32-28S-38W (NE/4) in Grant County, Kansas. (ATU 235) Order Granting Unitization	14-CONS-254-CUNI	
15	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 3-28S-39W (SE/4), Section 2-28S-39W (SW/4) , Section 11-28S-39W (NW/4), Section 10-28S-39W (NE/4) in Stanton County, Kansas. (ATU 252) Order Granting Unitization	14-CONS-255-CUNI	
16	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 27-27S-38W (SE/4), Section 26-27S-38W (SW/4) , Section 35-27S-38W (NW/4), Section 34-27S-38W (NE/4) in Grant County, Kansas. (ATU 260) Order Granting Unitization	14-CONS-256-CUNI	
17	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 32-26S-38W (SE/4), Section 33-26S-38W (SW/4) in Kearny County, Kansas, Section 4-27S-38W (NW/4), Section 5-27S-38W (NE/4) in Grant County, Kansas. (ATU 282) Order Granting Unitization	14-CONS-257-CUNI	
18	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 33-26S-38W (SE/4), Section 34-26S-38W (SW/4) in Kearny County, Kansas, Section 3-27S-38W (NW/4), Section 4-27S-38W (NE/4) in Grant County, Kansas. (ATU 283) Order Granting Unitization	14-CONS-258-CUNI	
19	In the Matter of the Application of Linn Operating, Inc. for an Order Providing for the Unitization and Unit Operation of a Part of the Hugoton and Panoma Council Grove Gas Fields in the Alternate Tract Unit Described as Section 4-27S-39W (SE/4), Section 3-27S-39W (SW/4), Section 10-27S-39W (NW/4), Section 9-27S-39W (NE/4) in Stanton County, Kansas. (ATU 276) Order Granting Unitization	14-CONS-263-CUNI	

Consent Agenda

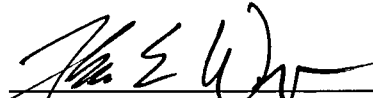
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
20	In the Matter of the Application of SureWest Kansas Licenses, LLC for Name Change to SureWest Kansas, Inc. On Its Certificate of Convenience and Authority to Provide Switched Local Exchange and Exchange Access Service Within the State of Kansas <i>Order Approving Name Change</i>	14-EVMT-279-CCN	
21	In the Matter of the Application of SureWest Kansas Licenses, LLC for Name Change to SureWest Kansas, Inc. On Its Certificate of Convenience and Authority to Provide Interexchange and Operator Service Within the State of Kansas <i>Order Approving Name Change</i>	14-EVMC-281-CCN	
22	In the Matter of the Application of Wheatland Electric Cooperative, Inc.-East Seeking Commission Approval for Ad Valorem Tax Surcharge Rider Tariff. <i>Order Approving Ad Valorem Tax Surcharge Rider</i>	14-WHLE-309-TAR	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

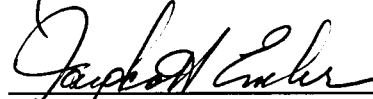
For the Commission :



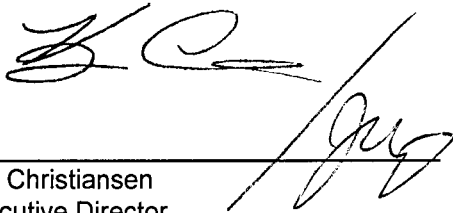
Shari Feist Albrecht, Chair



Thomas E. Wright, Commissioner



Jay Scott Emler, Commissioner



Attest:

Kim Christiansen
Executive Director