

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

Before Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the matter of the failure of Sam W. Mays Jr.) Docket No: 20-CONS-3238-CPEN
LLC dba Mays Oil LLC ("Operator") to comply)
with K.A.R. 82-3-120.) CONSERVATION DIVISION
)
) License No: 34503

In the matter of the failure of Sam W. Mays Jr.) Docket No: 20-CONS-3326-CPEN
LLC (Operator) to report activity that occurred)
during the 2019 calendar year in compliance) CONSERVATION DIVISION
with K.A.R. 82-3-409.)
) License No: 34503

PRESIDING OFFICER ORDER CONSOLIDATING DOCKETS

The Presiding Officer makes the following findings:

I. Background

1. On March 3, 2020, the Commission issued a *Penalty Order* against Operator in Docket 20-CONS-3238-CPEN, finding one violation of K.A.R. 82-3-120 because unplugged wells remained on Operator's expired license.¹ On May 1, 2020, Operator timely requested a hearing.²

2. On June 11, 2020, the Commission issued a *Penalty Order* against Operator in Docket 20-CONS-3326-CPEN, finding six violations of K.A.R. 82-3-409 because Operator failed to timely file annual fluid injection reports at six wells.³ On July 9, 2020, Operator timely requested a hearing.⁴

3. On August 12, 2020, Commission Staff filed an identical motion in each docket, carrying both docket captions and requesting approval of a settlement regarding both dockets.

¹ See *Penalty Order*, ¶ 10, Exhibit A (Mar. 3, 2020).

² See Letter Requesting Hearing (May 1, 2020); Order Designating Prehearing Officer and Setting Prehearing Conference, ¶ 4 (May 7, 2020).

³ See *Penalty Order*, ¶¶ 5, 9, Exhibit A (Jun. 11, 2020).

⁴ See Request for Hearing (Jul. 9, 2020).

II. Findings of Fact

4. The Presiding Officer finds that ruling upon the consolidation of Commission dockets is within the ambit of things a Presiding Officer may do.⁵ The Presiding Officer further finds, for the sake of judicial efficiency, that it is in the public interest to consolidate Dockets 20-CONS-3238-CPEN and 20-CONS-3326-CPEN for hearing on a common record.⁶

III. Conclusions of Law

5. The captioned dockets should be consolidated.

THEREFORE, THE PRESIDING OFFICER ORDERS:

The captioned dockets are consolidated. Each subsequent filing submitted for either of these consolidated dockets shall carry the caption of both dockets, and shall be filed only in Docket 20-CONS-3238-CPEN, which shall serve as the primary docket. Commission employees shall then populate the filing in Docket 20-CONS-3326-CPEN.

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: August 18, 2020

/s/ Jonathan R. Myers

Jonathan R. Myers
Presiding Officer

JRM

⁵ See K.S.A. 77-517(b); K.S.A. 77-551(c). In Docket 20-CONS-3238-CPEN, the Commission assigned a Prehearing Officer, and in Docket 20-CONS-3326-CPEN the Commission assigned Presiding Officer, but the distinction does not change the legal analysis.

⁶ See K.A.R. 82-1-224(b).

CERTIFICATE OF SERVICE

20-CONS-3238-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 08/18/2020.

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maysoil.sam@gmail.com

/s/ DeeAnn Shupe
DeeAnn Shupe

CERTIFICATE OF SERVICE

20-CONS-3326-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
electronic service on 08/18/2020.

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/S/ DeeAnn Shupe
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