

5. On September 24, 2025, Wheat State Investments, LLC and its owner/property manager Jordan Sanders (“Complainant”) filed a Formal Complaint against Kansas Gas Service (“KGS”) alleging that on August 22, 2025, KGS conducted a leak detection test and detected an above-ground gas reading in an area next to 914 SE 10th Terrace, Newton Kansas. Complainant alleges

KGS temporarily shut off service to 15 homes that Complainant owns for KGS to perform an inspection, but no leaks were detected and service was briefly restored.

6. On August 26, 2025, service was again discontinued to these homes for further testing by KGS and the Kansas Department of Health and Environment (“KDHE”) and that it was determined to be “naturally occurring ‘decaying gas’ produced by organic matter in the fill dirt” around the homes. Complainant states that sub-slab ventilation systems were installed by KDHE on 29 of the homes along SE 10th Terrace, but that KGS has refused to restore service despite mitigation efforts and no further detection of gas above the surface. Complainant further states that while there have been discussions with KGS of “possible restoration of service of the 15 units east of Logan Street, KGS has categorically declined to negotiate restoration of the remaining 14 units – 12 of which are currently occupied.”

7. After communication with KGS, advised that such actions were based on public safety concerns, and the gas would remain disconnected until there were zero readings for methane at the foundation of each residential property. KGS actions constitute a significant change in its “practices in connection with such services” under K.S.A. § 55-1,103, which mandates that such practices be “just, reasonable, not unjustly discriminatory, and not unduly preferential.”

8. KGS, has not taken any readings or additional samples since early September. By disconnecting residential customers without evidence of systemic leaks or imminent danger, KGS has acted unreasonably and arbitrarily, depriving customers of essential heat and energy services during critical weather conditions. Since then with mitigation efforts, the data does not appear to indicate any sudden or imminent threat, where keeping 12 residential customers without heat, during the winter months in Kansas represents a serious and adverse impact on public welfare under K.S.A. § 55-1,108 and also involves an immediate danger to the public health, safety and

welfare under K.S.A § 77-536(a)(1). Moreover, Wheat State is concerned that KGS's actions may be influenced by improper business motives, including avoiding the cost of line inspections or remediation.

9. The affected residential customers depend on continuous gas service for heating, cooking, and other essential needs. The unilateral disconnection of service exposes these individuals to immediate danger to health and welfare, particularly as temperatures decline.

10. The Commission has consistently held that disconnection for alleged safety concerns must be supported by objective field data demonstrating an actual hazardous condition, not mere speculative or environmental background readings.

WHEREFORE, Wheat State respectfully requests an emergency order from the Commission enjoining KGS from disconnecting customers until a hearing can be held in this matter to more fully determine if the measured levels of methane decay gas are at a dangerous level, and the appropriate means, methods and practices that KGS may implement to address such concerns in a reasonable and just manner without being unjustly discriminatory or unduly preferential toward Wheat State or its residents.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Emergency Relief was filed with the Kansas Corporation Commission using their electronic filing system, with courtesy copies of the same being sent to:

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