

**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 Notice of Denial of ) Docket No: 17-CONS-3685-CMSC  
License Renewal Application to Tailwater, )  
Inc. ) CONSERVATION DIVISION  
)  
) License No: 32461

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**ORDER SETTING PROCEDURAL SCHEDULE**

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 2, 2017, Commission Conservation Staff (Staff) issued a Notice of Denial of License Renewal Application to Tailwater, Inc. (Operator), stating that the Operator appears to be associated with entities not in compliance with Commission statutes, regulations, and orders.

2. On September 14, 2017, a Prehearing Conference was held where the parties agreed to the following procedural schedule:

Staff's Pre-filed Direct Testimony	Due: November 17, 2017
Operator's Pre-filed Direct Testimony	Due: December 4, 2017
Rebuttal Testimony	Due: December 14, 2017
Evidentiary Hearing before the Commission 266 N. Main, Suite 220, Wichita, Kansas 67202	January 18, 2018, 10:00 a.m.

3. At the Prehearing Conference, the parties also agreed to use electronic service in this proceeding.

4. Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

5. Any settlement agreement the parties wish to present for Commission consideration shall be due by December 14, 2017.

6. Any person requiring special accommodations under the Americans with Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

7. Any party who fails to attend or participate in the evidentiary hearing or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.<sup>1</sup>

**THEREFORE, THE COMMISSION ORDERS:**

A. The procedural schedule set forth in paragraph 2 is adopted.

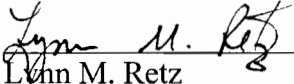
B. The parties have fifteen (15) days from the date of electronic service of this Order to petition for reconsideration.<sup>2</sup>

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: SEP 19 2017

  
Lynn M. Retz  
Secretary to the Commission

MJD

<sup>1</sup> K.S.A. 77-518(c)(8); K.S.A. 77-520.

<sup>2</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 77-529(a)(1); *see* K.S.A. 66-118b.

**CERTIFICATE OF SERVICE**

I certify that on September 19, 2017, I caused a complete and accurate copy of this Order to be served electronically to the following:

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Paula J. Murray  
Legal Assistant  
Kansas Corporation Commission