

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

Before Commissioners: Susan K. Duffy, Chair
Shari Feist Albrecht
Dwight D. Keen

In the matter of the failure of Prairie Gas) Docket No: 20-CONS-3129-CPEN
Operating, LLC ("Operator") to comply with)
K.A.R. 82-3-111 at the Watson #1 and Earl #1) CONSERVATION DIVISION
in Greeley County and Hamilton County,)
Kansas.) License No: 35442

In the matter of the failure of Prairie Gas) Docket No: 20-CONS-3144-CPEN
Operating, LLC ("Operator") to comply with)
K.A.R. 82-3-407 at the Bounds #2 in Greeley) CONSERVATION DIVISION
County, Kansas.) License No: 8061

PREHEARING OFFICER ORDER CONSOLIDATING DOCKETS

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

I. Background

1. On November 7, 2019, the Commission issued a *Penalty Order* against Prairie Gas Operating, LLC (Operator) in Docket 20-CONS-3129-CPEN for two violations of K.A.R. 82-3-111 because the Watson #1 and Earl #1 wells were inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for temporary abandonment status.¹

2. On November 14, 2019, the Commission issued a *Penalty Order* against Operator in Docket 20-CONS-3144-CPEN for one violation of K.A.R. 82-3-407 because a current and successful mechanical integrity test had not been performed on the Bounds #2 well.²

¹ See *Penalty Order*, ¶¶ 6, 10 (Nov. 7, 2019).

² See *Penalty Order*, ¶¶ 8, 13 (Nov. 14, 2019).

3. On December 12, 2019, Operator requested a hearing in each docket.³

4. On December 31, 2019, the Commission issued an order setting a prehearing conference in Docket 20-CONS-3144-CPEN for January 21, 2020, at 1:30 p.m.⁴

5. On January 9, 2020, the Commission issued an order setting a prehearing conference in Docket 20-CONS-3129-CPEN for January 21, 2020, at 1:30 p.m.⁵

6. On January 21, 2020, the Prehearing Officer called both prehearing conferences to order simultaneously.

II. Findings of Fact

7. The Prehearing Officer finds that ruling upon the consolidation of Commission dockets is within the ambit of things a Prehearing Officer may do.⁶ The Prehearing Officer further finds that at the January 21, 2020, prehearing conference(s), all parties agreed to consolidate these dockets. The Prehearing Officer further finds, for the sake of judicial efficiency, that it is in the public interest to consolidate Dockets 20-CONS-3129-CPEN and 20-CONS-3144-CPEN for hearing on a common record.⁷

III. Conclusions of Law

8. The captioned dockets should be consolidated.

THEREFORE, THE PREHEARING 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-

³ See Docket 20-CONS-3129-CPEN, Written Request for Hearing; Docket 20-CONS-3144-CPEN, Written Request for Hearing.

⁴ Docket 20-CONS-3144-CPEN, Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause B (Dec. 31, 2019).

⁵ Docket 20-CONS-3129-CPEN, Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause B (Jan. 9, 2020).

⁶ See *Order Designating Prehearing Officer and Setting Prehearing Conference* issued in both dockets (“[A] Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b)...”); see also K.S.A. 77-517(b) (listing, among other things, “such other matters that will promote the orderly and prompt conduct of the hearing”); K.S.A. 77-551(c).

⁷ See K.A.R. 82-1-224(b).

CONS-3129-CPEN, which shall serve as the primary docket. Commission employees shall then populate the filing in Docket 20-CONS-3144-CPEN.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: January 22, 2020

/s/ Jonathan R. Myers

Jonathan R. Myers
Prehearing Officer

JRM

CERTIFICATE OF SERVICE

20-CONS-3129 CPEN AND 20-CONS-3144-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 01/22/2020.

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/s/ DeeAnn Shupe

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