

**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 failure of Benjamin M.) Docket No: 17-CONS-3684-CPEN
Giles ("Operator") to comply with K.A.R.)
82-3-104 and K.A.R. 82-3-111 at the Flying) CONSERVATION DIVISION
J Geer #2 OWWO well in Butler County,)
Kansas.) License No: 5446

ORDER GRANTING MOTION TO EXTEND OPERATOR'S TIME TO RESPOND

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 27, 2017, the Commission issued a *Penalty Order* against Benjamin M. Giles (Operator).
2. On July 31, 2017, the Operator filed a Request for Hearing and Motion for Summary Order on the Pleadings.
3. On August 17, 2017, Staff responded to the Operator's Motion for Summary Order on the Pleadings.¹
4. On August 24, 2017, the Operator asked the Commission for an extension until September 6, 2017, to respond to Staff's August 17, 2017, filing.² The Operator's attorney stated that he has been out of the state and has two mediations and a pre-trial conference scheduled the

¹ See Staff's Response to Operator's Motion for Summary Order on the Pleadings (Aug. 17, 2017).

² See Motion to Extend Operator's Time to Respond, p. 1 (Aug. 24, 2017).

week of August 28 – September 1, 2017.³ The Operator also noted that Staff's attorney does not object to the requested extension.⁴

5. The Commission finds the Operator's request for an extension reasonable and grants the Operator's Motion.

THEREFORE, THE COMMISSION ORDERS:

A. The Operator shall have until September 6, 2017, to respond to Staff's Response to Operator's Motion for Summary Order on the Pleadings.

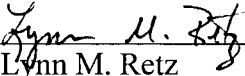
B. The parties have fifteen (15) days from the date of electronic service of this Order to petition for reconsideration.⁵

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: AUG 29 2017


Lynn M. Retz
Secretary to the Commission

MJD

³ *Id.*

⁴ *Id.*

⁵ 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 8/29/17, I caused a complete and accurate copy of this Order to be served electronically and via United States mail, with the postage prepaid and properly addressed to the following:

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and delivered by email to:

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KCC Wichita Office

Michael Duenes, Deputy General Counsel
KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission