

**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. Giles) Docket No. 17-CONS-3329-CPEN
("Operator") to comply with K.A.R. 82-3-111 at)
the Ray #A-1, Ray C #1, Ray C #2 and Seidl #1) CONSERVATION DIVISION
OWWO wells in Butler County, Kansas.)
_____) License No.: 5446

**PREHEARING OFFICER ORDER RESCHEDULING EVIDENTIARY HEARING
AND ADJUSTING TESTIMONY DEADLINES**

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:

1. On February 2, 2017, the Commission issued an *Order Setting [the] Procedural Schedule* in this matter, which set pre-filed testimony deadlines in February and March of 2017 and an evidentiary hearing date of March 16, 2017.¹

2. On February 14, 2017, Commission Staff (Staff) filed a Motion to Reschedule [the] Evidentiary Hearing and Adjust Testimony Deadlines (Motion), requesting the evidentiary hearing be rescheduled for May 18, 2017, and the pre-filed testimony deadlines be adjusted accordingly.²

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The amended procedural schedule shall be as follows:

Staff's Pre-filed Direct Testimony	Due: April 24, 2017
Operator's Pre-filed Direct Testimony	Due: May 1, 2017
Rebuttal Testimony	Due: May 8, 2017

¹ Docket No. 17-CONS-3329-CPEN, *Order Setting Procedural Schedule*, ¶ 2 (Feb. 2, 2017).

² Motion, p. 1 (Feb. 14, 2017).

Evidentiary Hearing before the Commission
266 N. Main, Suite 220, Wichita, Kansas 67202

May 18, 2017, 10:00 a.m.

- B. Any settlement agreement the parties wish to present for Commission consideration shall be due by May 8, 2017.
- C. Parties have 15 days from the date of electronic service of this Order to petition for reconsideration.³
- D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

Dated: February 21, 2017

/s/ Michael J. Duenes
Michael J. Duenes
Prehearing Officer

MJD/sc

³ K.S.A. 66-118b; K.S.A. 77-529(a)(l).

CERTIFICATE OF SERVICE

I certify that on 2/21/17, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jonathan A. Schlatter
Morris Laing Evans Brock & Kennedy, Chtd.
300 N. Mead, Suite 200
Wichita, KS 67202
Attorneys for Benjamin M. Giles

Benjamin M. Giles
346 S. Lulu
Wichita, KS 67211

and delivered by e-mail to:

Dan Fox
KCC District #2

Jonathan R. Myers, Litigation Counsel
KCC Wichita

Michael J. Duenes
Assistant General Counsel
KCC Topeka

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