

**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 issued to)
Tailwater, Inc.) CONSERVATION DIVISION
)
) License No.: 32461

**MOTION FOR CONTINUANCE OF HEARING
AND EXTENSION OF REBUTTAL TESTIMONY DEADLINE**

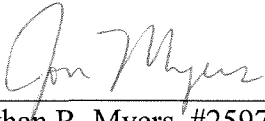
Commission Staff (Staff) of the State Corporation Commission of the State of Kansas (Commission) files this Motion requesting a continuance of the scheduled evidentiary hearing and extension of the rebuttal testimony deadline. In support of its Motion, Staff states as follows:

1. On June 6, 2017, Operator's license renewal application was denied. On June 14, 2017, Operator requested a hearing. On September 19, 2017, the Commission issued an order setting a procedural schedule. Staff timely submitted direct testimony by November 17, 2017; Operator timely submitted direct testimony by December 4, 2017; rebuttal testimony is due today, December 14, 2017; and the evidentiary hearing is scheduled for January 18, 2018.

2. After consultation with Operator's counsel, Staff believes this matter may be able to be resolved without the need for an evidentiary hearing. Staff therefore requests that the evidentiary hearing be rescheduled for February 15, 2018, and that the deadline for rebuttal testimony be extended to January 29, 2018, as it may not wind up being necessary. Staff believes a continuance would also be useful given Operator's pending motion to join an additional party. Staff has spoken with Operator's counsel, who is not opposed.

WHEREFORE, Staff requests this motion be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jon Myers", positioned above a horizontal line.

Jonathan R. Myers, #25975

Litigation Counsel

Kansas Corporation Commission

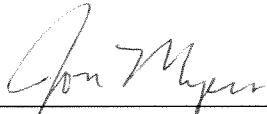
266 N. Main, Suite 220, Wichita, Kansas 67202

Phone: 316-337-6200; Fax: 316-337-6211

VERIFICATION

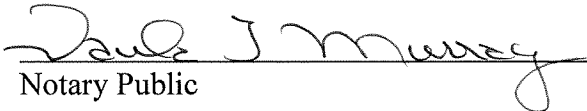
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.



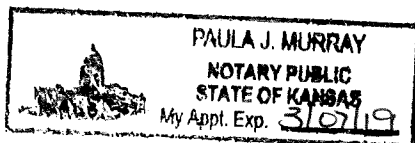
Jonathan R. Myers, S. Ct. #25975
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 14 day of Dec, 2017.



Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

I certify that on 12/14/17, I caused a complete and accurate copy of this Motion to be served electronically to the following:

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Attorneys for Tailwater, Inc.

Jonathan R. Myers, Litigation Counsel
KCC Central Office

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office

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