2017-09-26 13:49:54 Kansas Corporation Commission /s/ Lynn M. Retz

## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Pat Apple, Chairman Shari Feist Albrecht Jay Scott Emler

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In the Matter of an Order to Show Cause issued to William T. Wax ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Docket No. 17-CONS-3129-CSHO CONSERVATION DIVISION License No. 3473

## **ORDER CLOSING DOCKET**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed its files and records and being fully advised in the premises, the Commission makes the following findings:

1. On September 22, 2016, Commission Staff (Staff) filed a Motion for an Order to Show Cause, the Designation of a Prehearing Officer, and the Scheduling of a Prehearing Conference.<sup>1</sup> Staff attached Exhibit A to the motion listing the unplugged wells and noted the Operator's license was expired.<sup>2</sup>

2. On January 24, 2017, the Commission issued its Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference. The Commission designated Dustin L. Kirk as the Prehearing Officer<sup>3</sup> and set a Prehearing Conference for February 21, 2017.

3. The Parties agreed to continue the Prehearing Conference to March 21, 2017, and again to May 2, 2017.

<sup>&</sup>lt;sup>1</sup> Motion for an Order to Show Cause, the Designation of a Prehearing Officer, and the Scheduling of a Prehearing Conference, Sep. 22, 2016.

<sup>&</sup>lt;sup>2</sup> Id., Exhibit A.

<sup>&</sup>lt;sup>3</sup> Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference, Jan. 24, 2017.

4. On May 2, 2017, an Order Designating New Prehearing Officer designated Samuel Feather as the Prehearing Officer in the docket.<sup>4</sup>

5. On May 3, 2017, Staff requested the Prehearing Conference be rescheduled for July 17, 2017, and the Prehearing Officer issued an Order Continuing Prehearing Conference and Ordering Electronic Service.<sup>5</sup>

6. On July 17, 2017, a Prehearing Conference was held to discuss the status of the docket and the Parties agreed to continue the Prehearing Conference until September 11, 2017, in order to pursue resolution of any remaining issues.<sup>6</sup>

7. On September 6, 2017, Staff filed a Motion to Close Docket and Cancel Prehearing Conference. Staff confirmed it conducted research and performed inspections on the wells remaining on Operator's license on May 2, 2017, and updated Commission records with the information as an attachment to the motion.<sup>7</sup> Staff stated the Operator transferred all wells remaining on its license to a different operator, which Commission Staff approved.<sup>8</sup> Staff recommended the Commission cancel the remainder of the procedural schedule in the docket and close the docket as all matters have been resolved to the Commission Staff's satisfaction.

8. On September 6, 2017, the Prehearing Officer issued an Order Cancelling Prehearing Conference for September 11, 2017, and stated the remaining issue to close the docket would be considered in a separate Commission order.

9. Based on Staff's Motion and documentation that the subject wells have been transferred to a different operator, the Commission finds there are no further matters to address. The docket should be closed.

<sup>&</sup>lt;sup>4</sup> Order Designating New Prehearing Officer, May 2, 2017.

<sup>&</sup>lt;sup>5</sup> Prehearing Officer Order Continuing Prehearing Conference and Ordering Electronic Service, May 11, 2017.

<sup>&</sup>lt;sup>6</sup> Prehearing Officer Order Rescheduling Prehearing Conference, Jul. 18, 2017.

<sup>&</sup>lt;sup>7</sup> Motion to Close Docket and Cancel Prehearing Conference, Sep. 6, 2017.

<sup>&</sup>lt;sup>8</sup> Id., ¶ 4.

## THEREFORE, THE COMMISSION ORDERS:

A. The docket is closed.

B. Parties have 15 days from the date this Order was electronically served in which

to petition the Commission for reconsideration.<sup>9</sup>

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: \_\_\_\_\_\_ SEP 2 6 2017

m M. Retz

Secretary to the Commission .

Mailed Date: September 26, 2017

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<sup>&</sup>lt;sup>9</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  $\underline{9/26/17}$ , I caused a complete and accurate copy of this Order to be served electronically to the following:

Jon R. Viets PO Box 1176 Independence, KS 67301 vicogroupltd@live.com Attorney for William T. Wax

Joshua D. Wright, Litigation Counsel KCC Central Office

Samuel Feather, Deputy General Counsel KCC Topeka Office

<u>/s/ Paula J. Murray</u> Paula J. Murray Legal Assistant Kansas Corporation Commission