

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

Before Commissioners: Shari Feist Albrecht, Chair
Thomas E. Wright
Mark Sievers

In the matter of the failure of B-C Steel,)	Docket No. 14-CONS-234-CPEN
LLC ("Operator") to comply with K.A.R.)	
82-3-111 at the Ankrom #1, Ankrom #5,)	CONSERVATION DIVISION
Ankrom #6, Ankrom #7 and Ankrom #8)	
wells in Cowley County, Kansas.)	License No: 33711

ORDER SETTING HEARING

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having reviewed the pleadings and record, the Commission finds and concludes as follows:

1. The Commission issued a Penalty Order to B-C Steel, LLC (B-C Steel) on October 31, 2013¹ because it found the Ankrom wells have been inactive in excess of the time allowed by K.A.R. 82-3-111 without being plugged, returned to service, or approved for Temporary Abandonment status.²

2. B-C Steel timely filed its Request for Hearing stating it has never operated the Ankrom wells or even physically entered the leasehold property on which the wells are located.³

3. The Commission finds this matter should be set for hearing to investigate the claims by B-C Steel. The hearing will be held on February 21, 2014, at 10:00 a.m., or as soon thereafter as scheduling permits, at the Kansas Corporation Commission, 130 S. Market, Room 2078, Wichita, Kansas 67202. The Commission will preside over this hearing. The hearing will

¹ Penalty Order, (October 31, 2013).

² *Id.* at ¶ 11.

³ Request for Hearing, (December 3, 2013).

be formal in nature and will involve both the rules of civil procedure and the rules of evidence. Please note that K.A.R. 82-1-228(d)(2) requires corporations to appear through an attorney.

4. Pursuant to K.A.R. 82-1-229, Commission Staff must pre-file direct testimony by February 3, 2014, and B-C Steel must pre-file direct testimony by February 11, 2014. One original and seven copies of pre-filed direct testimony must be filed with the Executive Director, 130 S. Market, Room 2078, Wichita, Kansas 67202. Rebuttal testimony may be presented at the hearing.

5. Any person requiring special accommodations under the Americans with Disabilities Act needs to give notice to the Commission at least 10 days prior to the scheduled hearing date.

6. The attorney appearing on behalf of the agency may be reached as follows:

Jonathan R. Myers
Litigation Counsel
Kansas Corporation Commission
130 S. Market, Room 2078
Wichita, Kansas 67202
(316) 337-6200

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. B-C Steel's Request for Hearing is granted.

B. The hearing will be held on February 21, 2014, at 10:00 a.m., or as soon thereafter as scheduling permits, at the Kansas Corporation Commission, 130 S. Market, Room 2078, Wichita, Kansas 67202.

C. The parties have fifteen days, plus three days if service of this order is by mail, from the date this Order was served in which to petition the Commission for reconsideration.⁴

⁴ K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

D. 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.

Albrecht, Chair; Wright, Commissioner; Sievers, Commissioner

Dated: JAN 14 2014



Kim Christiansen
Executive Director

MLS

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

JAN 14 2014



CERTIFICATE OF SERVICE

I certify that on 1/15/14, 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:

Timothy E. McKee
Amy Fellows Cline
Triplett, Woolf & Garretson, LLC
2959 N. Rock Road, Suite 300
Wichita, Kansas 67226
Attorneys for B-C Steel, LLC

Dan Fox
KCC District #2
3450 N. Rock Road, Bldg. 600, Suite 601
Wichita, Kansas 67226

/s/ Jonathan R. Myers
Jonathan R. Myers
Litigation Counsel
Kansas Corporation Commission