

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

In the Matter of the Failure of Great Plains) Docket No.: 19-CONS-3276-CPEN
Petroleum, Inc. (“Operator”) to comply with)
K.A.R. 82-3-111 at the Monger #4 in Gray) CONSERVATION DIVISION
County, Kansas.)
_____) License No.: 30162

MOTION FOR DEFAULT ORDER

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), moves the Commission for a Default Order to be issued against the Operator. In support of its motion, Staff states as follows:

1. On February 26, 2019, the Commission issued a Penalty Order against the Operator in the captioned docket.¹
2. On March 29, 2019, Operator filed a request for hearing.²
3. On April 11, 2019, an Order Designating Prehearing Officer and Setting Prehearing Conference was filed in this docket and set the Prehearing Conference for April 26, 2019.³ Subsequently, the Prehearing Conference was rescheduled several times and was ultimately set for July 24, 2019.⁴
4. Counsel for Staff appeared at the pre-hearing conference on July 24, 2019, but the Operator failed to appear. Staff made a verbal Motion for Default at the prehearing conference. The Prehearing Officer requested the Motion be submitted in writing.
5. Pursuant to K.S.A. 77-520(a), “[i]f a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer

¹ *Penalty Order*, ¶¶ 6, 10 (Feb. 26, 2019).

² *Letter Requesting Hearing* (Mar. 29, 2019).

³ *Order Designating Prehearing Officer and Setting Prehearing Conference* (Apr. 11, 2019).

⁴ *See Prehearing Officer Order Setting Prehearing Conference* (Apr. 30, 2019); *Prehearing Officer Order Setting Prehearing Conference* (May 14, 2019); *Prehearing Officer Order Rescheduling Prehearing Conference* (Jun. 11, 2019).

may serve upon all parties written notice of a proposed default order, including a statement of the grounds.”

6. Staff believes Operator was properly noticed and afforded an opportunity to attend and participate in the July 24, 2019, prehearing conference, but failed to do so. Therefore, Staff requests that a default order be issued against Operator.

WHEREFORE, for the reasons set forth above, Staff respectfully requests the Commission issue a default order against Operator for failure to appear and participate, and for any further relief as the Commission deems just and proper.

Respectfully submitted,



Carly R. Masenthin, #27944
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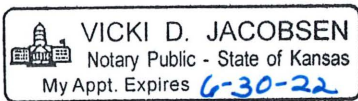
VERIFICATION

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

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

Carly R. Masenthin
Carly R. Masenthin, S. Ct. #27944
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 24th day of July, 2019.



Vicki D. Jacobsen
Notary Public

My Appointment Expires: 6-30-22

CERTIFICATE OF SERVICE

19-CONS-3276-CPEN

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on July 24, 2019.

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/S/ Paula J. Murray

Paula J. Murray