

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

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: 30163

DEFAULT ORDER

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

I. Jurisdiction

1. K.S.A. 77-520 provides that if a party fails to attend any stage of an adjudicative proceeding, the agency may issue a default order with a statement of the grounds. Within seven days after service of a proposed default order, the party against whom it was issued has seven days to file a written motion to vacate, which shall state the grounds relied upon.

II. Findings of Fact

2. On February 26, 2019, the Commission issued a *Penalty Order* against Great Plains Petroleum, Inc. (Operator) for one violation of K.A.R. 82-3-111 because the subject well had been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for temporary abandonment status.¹

3. On March 29, 2019, Operator filed a request for hearing.²

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

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

4. On July 24, 2019, a Prehearing Conference was held. Commission Staff (Staff) appeared at the Prehearing Conference, but the Operator did not. The same day, Staff filed a Motion for Default Order, stating that “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.”³

5. The Commission takes administrative notice of its records,⁴ which indicate Operator plugged the subject well on July 30, 2019, and has paid the penalty assessed.⁵

III. Conclusions of Law

6. Pursuant to K.S.A. 77-520(a), the Commission finds the Operator’s failure to attend the July 24, 2019, Prehearing Conference constitutes default. Thus, Staff’s Motion for Default Order is granted.

THEREFORE, THE COMMISSION ORDERS:

A. Staff’s Motion for Default Order is granted.

B. Pursuant to K.S.A. 77-520(b), any party may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order, with three additional days added to account for service by mail.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 08/15/2019



Lynn M. Retz
Executive Director

Mailed Date: 08/15/2019

JRM

³ Motion for Default Order, ¶ 6. (Jul. 24, 2019).

⁴ See K.A.R. 82-1-230(h).

⁵ See *Penalty Order*, Ordering Clause A (Feb. 26, 2019).

CERTIFICATE OF SERVICE

19-CONS-3276-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

electronic service on 08/15/2019.

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/S/ DeeAnn Shupe

DeeAnn Shupe