

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

Before Commissioners: Jay Scott Emler, Chairman
Shari Feist Albrecht
Pat Apple

In the matter of the failure of Exodus Gas & Oil LLC ("Operator") to comply with K.A.R. 82-3-120.) Docket No.: 17-CONS-3095-CPEN
)
) CONSERVATION DIVISION
)
) License No.: 34420

DEFAULT ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly 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. The party has seven days to file a written motion to vacate, which shall state the grounds relied upon.

II. FINDINGS OF FACT

2. On September 13, 2016, the Commission issued its Penalty Order concluding that Operator committed one violation of K.A.R. 82-3-120 and ordered Operator to pay a penalty of \$500.00.

3. On September 29, 2016, Operator filed its request for a hearing in this matter.

4. On October 11, 2016, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing Conference. The Prehearing Conference was scheduled for Tuesday, October 25, 2016, at 10:00 a.m.

5. On October 25, 2016, the Prehearing Conference was held. Operator failed to attend, and Staff verbally moved that the Commission issue a Default Order.

III. CONCLUSIONS OF LAW

6. The Commission concludes Operator's failure to attend the prehearing conference constitutes default. Staff's motion for a default order should be granted.

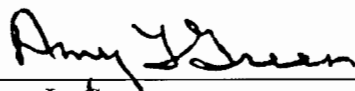
THEREFORE, THE COMMISSION ORDERS:

- A. Staff's motion for a default order is granted.
- B. Staff is directed to enforce the terms of the Penalty Order in this docket.
- C. 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.
- D. If a motion to vacate is not filed by the deadline, any party may then file a petition for reconsideration pursuant to K.S.A. 77-529(a) within 15 days. The petition shall be addressed to the Commission and sent to 266 N. Main, Suite 220, Wichita, Kansas 67202. Reconsideration is a prerequisite for judicial review.
- E. The Commission retains jurisdiction over the subject matter and the parties and may enter additional orders as it deems appropriate.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: NOV 17 2016



Amy L. Green
Secretary to the Commission

Mailed Date: November 17, 2016

JM

CERTIFICATE OF SERVICE

I certify that on November 17, 2016, 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:

Brian Lingard
Exodus Gas & Oil LLC
1001 McKinney Street, Suite 804
Houston, TX 77002

And delivered electronically to:

Jonathan R. Myers
KCC Conservation Division

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission