

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

- c. the original operator who plugged or abandoned such well; and
- d. any person who without authorization tampers with or removes surface equipment or downhole equipment from an abandoned well.

3. K.S.A. 55-180 gives the Commission a cause of action against responsible parties for the reasonable plugging costs of abandoned wells. K.A.R. 82-3-120 provides that no Operator shall conduct activities at a well without a current license.

II. FINDINGS OF FACT

4. On September 22, 2016, Commission Staff moved the Commission to issue an order to show cause, alleging that:

- a. The wells listed on the attached Exhibit A, which is incorporated into this order, are unplugged;
- b. the wells on the attached Exhibit A are listed on Operator's license, which is expired, so the wells appear to be abandoned; and
- c. pursuant to Kansas statutes and Commission regulations, Operator appears to be responsible for plugging the wells.

5. Staff's September 22, 2016, Motion was served on Operator, and no response was filed.

III. CONCLUSIONS OF LAW

6. The Commission finds that Operator should attend an evidentiary hearing to show cause why Operator is not responsible for the wells listed on Exhibit A.

7. Pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b). The Commission also finds that an initial Prehearing Conference should be scheduled in this matter.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Dustin L. Kirk, Deputy General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604, telephone number (785) 271-3181, email d.kirk@kcc.ks.gov.

B. A Prehearing Conference is scheduled for February 21, 2017 at 3:30 p.m. by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act (KAPA). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default under the KAPA.

E. Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it shall be held in default under the KAPA.

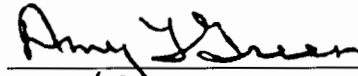
F. The attorney designated to appear on behalf of the agency in this proceeding is Jonathan R. Myers, Litigation Counsel, telephone number 316-337-6200, email address j.myers@kcc.ks.gov.

G. The Commission retains jurisdiction over the subject matter and 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: JAN 24 2017



Amy L. Green
Secretary to the Commission

Mailed Date: January 24, 2017

DLK/pjm

Exhibit A

**Wax, William T.
License: 3473**

<u>Unplugged Wells on Operator's License</u>			
API Well #	Lease Name / Well #	Well Location	County
15-037-21487-00-00	MULLEN J70	1-31S-21E, NENESE	CRAWFORD
15-037-21555-00-00	GROTHER 1	7-29S-24E, NENW	CRAWFORD
15-037-21556-00-00	WIDNER 1	6-29S-24E, NESESW	CRAWFORD
15-037-21582-00-00	ULBRICH 1	19-29S-24E, NWSEW	CRAWFORD
15-037-21881-00-00	MULLEN J81	1-31S-21E, E2E2NESE	CRAWFORD
15-099-23287-00-00	CZAPANSKY 5	8-32S-21E, NENW	LABETTE

CERTIFICATE OF SERVICE

I certify that on January 24, 2017, 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:

Jon R. Viets
PO Box 1176
Independence, KS 67301

William T. Wax
PO Box 276
McCune, KS 66753-0276

and delivered by e-mail to:

Jonathan R. Myers, Litigation Counsel
KCC Wichita Central Office

Dustin L. Kirk, Deputy General Counsel
KCC Topeka Office

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