

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

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

In the Matter of an Order to Show Cause issued to ) Docket No. 17-CONS-3301-CSHO  
Rodney Noe dba R-Jann-N Oil ("Operator") )  
regarding responsibility under K.S.A. 55-179 for ) CONSERVATION DIVISION  
unplugged wells on an expired license. ) License No. 7892

**PREHEARING OFFICER ORDER CONTINUING PREHEARING CONFERENCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On October 21, 2016, Commission Staff (Staff) filed a Motion for an Order to Show Cause, the Designating of a Prehearing Officer, and the Scheduling of a Prehearing Conference.

2. On January 19, 2017, the Commission issued the Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Officer. The Commission set a prehearing conference for February 7, 2017 at 1:30 p.m.<sup>1</sup>

3. At the February 7, 2017 Prehearing Conference, Staff indicated verbally that Staff would motion for a continuance of the Prehearing Conference in this matter. Staff later filed a written motion indicating that the Operator was not in opposition to rescheduling and that the matter may be resolved amicably.<sup>2</sup>

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<sup>1</sup> Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference at 3 (Jan. 19, 2017).

<sup>2</sup> Motion to Reschedule Prehearing Conference (Feb. 7, 2017).

4. Kansas law favors compromising and settling disputes.<sup>3</sup> Therefore for good cause shown, Staff's motion is granted. The Prehearing Conference shall be rescheduled to **Tuesday, April 4, 2017, at 8:30 a.m.**

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

A. The Prehearing Conference shall be continued until **Tuesday, April 4, 2017, at 8:30 a.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN #7632914771.

B. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, and scheduling of a hearing with the Commission.

C. 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), K.S.A. 77-501 et seq. Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to KAPA.

D. A corporation shall appear before the Commission by a Kansas licensed attorney.<sup>4</sup>

Dated: February 27, 2017

/s/ Dustin L. Kirk  
Dustin L. Kirk, Deputy General Counsel  
Prehearing Officer

DLK/sc

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<sup>3</sup> *Bright v. LSI Corp.*, 254 Kan. 853, 858 (1994).

<sup>4</sup> K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

CERTIFICATE OF SERVICE

I certify that on February 27, 2017, I caused a complete and accurate copy of this Prehearing Officer Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Rodney Noe  
dba R-Jann-N Oil  
RR 1  
St. Paul, Kansas 66771

And delivered by email to:

Jon Myers  
KCC Conservation Division

Dustin Kirk  
KCC Prehearing Officer

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