

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the matter of the application of Atlas) Docket No: 20-CONS-3284-CUIC
Operating, LLC, for a permit to authorize the)
disposal of saltwater into the Lloyd M. Wells) CONSERVATION DIVISION
#5-17 well in Section 17, Township 30 South,)
Range 8 West, Kingman County, Kansas.) License No: 34357

PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE

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 May 18, 2020, Atlas Operating LLC (Operator) filed an Application for injection authority at its Lloyd M. Wells #5-17 well.¹ The same day, Operator also filed an Affidavit of Publication, evidencing an April 23, 2020, publication of notice in the *Kingman Leader-Courier*.²
2. On May 15, 2020, attorney Steve Gough of Withers, Gough, et al. filed a protest on behalf of Messenger Petroleum, Inc., JoHo LLC, Jon F. Messenger, Lyndon M. Messenger, Brian Baird, and Quentin Don Clark (collectively, "Protesters").³
3. At a July 9, 2020, prehearing conference, all parties consented to the electronic service of all documents⁴ and orders.⁵ Therefore, the Prehearing Officer directs that service of all documents and orders may be made by email. To the extent practicable, any electronically served document or order shall be attached to the email and served in pdf format. Service of orders is complete upon

¹ See Application, p. 1 (May 18, 2020).

² See Affidavit of Publication – Kingman Leader-Courier (May 18, 2020).

³ See Protest (May 15, 2020).

⁴ See K.S.A. 77-519; Amended Order Authorizing Use of Electronic Service, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁵ See K.S.A. 77-531.

transmission.⁶ Parties are encouraged to make sure large pdf files do not result in delivery failure and to work together to resolve any email-based service issues.

4. As of this date, these are the email addresses for the parties and prehearing officer:⁷

a. Operator:

i. Amy Fellows Cline, amycline@twgfirm.com; and

ii. Tyler E. Heffron, theffron@twgfirm.com;

b. Protesters: Steven D. Gough, sgough@withersgough.com;

c. Commission Staff: Kelcey Marsh, k.marsh@kcc.ks.gov;; and

d. Prehearing Officer: Jonathan R. Myers, j.myers@kcc.ks.gov.⁸

5. The Prehearing Officer notes that filing of documents with the Commission must still be done either through the Commission's "e-filing express" system, or by mail or hand delivery to the Commission.⁹ The Prehearing Officer orders that if a document is filed by mail or hand delivery, only the original copy must be supplied.¹⁰ The Commission, however, strongly encourages parties to file through the "e-filing express" system.¹¹

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: July 14, 2020

/s/ Jonathan R. Myers

Jonathan R. Myers
Prehearing Officer

JRM

⁶ See K.S.A. 77-531(b).

⁷ Parties, through counsel, have consented to service of orders only through counsel. See K.S.A. 77-531(a).

⁸ See Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause A (June 2, 2020).

⁹ See Amended Order Authorizing Use of Electronic Filing, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

¹⁰ See *id.*, ¶ 3.

¹¹ *Id.*, ¶ 4.

CERTIFICATE OF SERVICE

20-CONS-3284-CUIC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 07/14/2020.

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/s/ DeeAnn Shupe

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