

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

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

In the matter of the Notice of Denial of) Docket No. 17-CONS-3685-CMSC
License Renewal Application issued to)
Tailwater, Inc.) CONSERVATION DIVISION
)
) License No. 32461

**PREHEARING OFFICER ORDER CONTINUING REBUTTAL TESTIMONY
DEADLINE AND RESCHEDULING EVIDENTIARY HEARING**

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 September 19, 2017, the Commission issued an *Order Setting Procedural Schedule*.
2. On December 14, 2017, Commission Conservation Staff (Staff) filed a Motion for Continuance of Hearing and Extension of Rebuttal Testimony Deadline (Motion), noting that Staff and Tailwater, Inc. (Operator) have timely filed direct testimony in this docket.¹ Staff also noted that rebuttal testimony was due on December 14, 2017, and a hearing is scheduled for January 18, 2018.²
3. Staff stated that “[a]fter consultation with Operator’s counsel, Staff believes this matter may be able to be resolved without the need for an evidentiary hearing,” and therefore, Staff requested that the evidentiary hearing be rescheduled for February 15, 2018, and the

¹ Motion, ¶ 1.

² *Id.*

deadline for rebuttal testimony be extended to January 29, 2018.³ Staff also stated that the Operator is not opposed to the requested extensions.⁴

4. The Prehearing Officer finds the parties' pursuit of a possible resolution in this docket is to be encouraged, and therefore, Staff's Motion should be granted.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The deadline for pre-filed rebuttal testimony is continued to January 29, 2018.

B. The evidentiary hearing is rescheduled for **Thursday, February 15, 2018**, at 10:00 a.m., at the Commission's Wichita office, 266 N. Main, Suite 220.

C. Parties have 15 days from the date of electronic service of this Order to petition for reconsideration.⁵

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

Dated: December 18, 2017

/s/ Michael J. Duenes

Michael J. Duenes
Prehearing Officer

MJD

³ Motion, ¶ 2.

⁴ *Id.*

⁵ K.S.A. 55-162; 55-605; K.S.A. 66-118b; K.S.A. 77-529(a)(l).

CERTIFICATE OF SERVICE

I certify that on DEC 18 2017, I caused a complete and accurate copy of this Order to be served electronically to the following:

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/s/ DeeAnn Shupe
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MAILED

DEC 18 2017