THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Dwight D. Keen, Chair
Shari Feist Albrecht
Jay Scott Emler

ORDER GRANTING MOTION TO RESCIND PENALTY ORDER

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds the following:

- 1. On January 15, 2019, the Commission issued a *Penalty Order* against Richardson and Son, Inc. (Operator) for one violation of K.A.R. 82-3-407 because a current and successful MIT had not been performed on the Lorton #1 well.¹
 - 2. On January 23, 2019, the Operator requested a hearing.²
- 3. On February 12, 2019, Commission Staff (Staff) filed a Motion to Rescind Order, stating that Staff's receipt and review of additional information have prompted Staff to conclude that expending resources to prosecute this matter is not in the best interests of the state. Thus, Staff recommended the Commission rescind its *Penalty Order* and close the docket.³
- 4. Based on the above, the Commission finds Staff's request to be reasonable, and the *Penalty Order* should be rescinded.

² Letter Requesting Hearing (Jan. 23, 2019).

¹ Penalty Order, ¶8, 13 (Jan. 15, 2019).

³ Motion to Rescind Order, ¶ 4 (Feb. 12, 2019).

THEREFORE, THE COMMISSION ORDERS:

- A. Staff's Motion to Rescind Order is granted, and thus, the Commission's January 15, 2019, *Penalty Order* is rescinded.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁴
- C. 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.

Keen,	Chair;	Albrecht,	Commissioner:	Emler,	Commissioner

Dated: 02	/21/2019	Lynn M. Ret		
		Lynn M. Retz		
		Secretary to the Commission		
Mailed Date:	02/22/2019			
JRM				

⁴ See K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-CONS-3231-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

first class mail and electronic service on)2/21/2019	
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	/S/ D	reeAnn Shupe

DeeAnn Shupe