

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

In the matter of the failure of Benjamin M. Giles ) Docket No: 20-CONS-3039-CPEN  
("Operator") to comply with K.A.R. 82-3-407 )  
at the Paulsen #8B in Butler County, Kansas. ) CONSERVATION DIVISION  
 )  
\_\_\_\_\_) License No: 5446

**AMENDED CERTIFICATE OF SERVICE**

The attached *Prehearing Officer Order Granting Motion Requesting Withdrawals and Closing Docket* was issued and posted online by the Commission on January 8, 2020. A technical glitch, however, resulted in the order not being served upon the parties. Thus, the order is being served upon the parties this 21<sup>st</sup> day of January 2020.

/s/ Sally Conn  
Sally Conn, Executive Secretary

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5. The Prehearing Officer finds the January 3, 2020, motion to be within the ambit of things a prehearing officer is allowed to rule upon,<sup>3</sup> and finds no compelling reason to deny the motion. Giles and MWM should not be forced to contest a *Penalty Order* they do not wish to contest.

6. The Prehearing Officer finds that because no party remains to contest the Commission's August 6, 2019, *Penalty Order*, further proceedings are unnecessary, and that closing this docket will not prevent Commission Staff from taking whatever administrative actions are appropriate pursuant to the *Penalty Order*.

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

- A. Giles' and MWM's January 3, 2020, motion is granted.
- B. This docket is closed.

**BY THE PREHEARING OFFICER IT IS SO ORDERED.**

Dated: January 8, 2020

/s/ Jonathan R. Myers  
Jonathan R. Myers  
Prehearing Officer

JRM

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<sup>3</sup> See *Order Designating Prehearing Officer and Setting Prehearing Conference*, ¶ 3 (Sept. 17, 2019); see also K.S.A. 77-551(c).

## CERTIFICATE OF SERVICE

20-CONS-3039-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 01/08/2020.

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/s/ DeeAnn Shupe  
DeeAnn Shupe

## CERTIFICATE OF SERVICE

20-CONS-3039-CPEN

I, the undersigned, certify that a true and correct copy of the above and foregoing was sent by electronic means this 21st day of January, 2020, to the following:

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/s/ Sally Conn

Sally Conn

Executive Secretary