

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

In the matter of the application of Edison Operating) Docket No.: 24-CONS-3267-CEXC
Company LLC for an exception to the 10-year time)
limitation of K.A.R. 82-3-111 for its Seewers #6-2) CONSERVATION DIVISION
well located in the Northwest Quarter of the)
Southeast Quarter of the Northeast Quarter of) License No.: 34434
Section 1, Township 25 South, Range 14 West,)
Stafford County, Kansas.)

MOTION TO DISMISS APPLICATION AND CLOSE DOCKET

Staff of the Kansas Corporation Commission (Staff and Commission, respectively) moves the Commission to issue an order dismissing the application and closing the docket in this matter.

In support of its motion, Staff states as follows:

1. On March 25, 2024, Edison Operating Company, LLC (Operator) filed an application seeking an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Seewers #6-2 well, API #15-185-11923 (Subject Well).

2. Upon review of the application, Legal Staff found an issue as Operator had not filed affidavits of publication from the Wichita Eagle or official county newspaper, indicating non-compliance with K.A.R. 82-3-135a(d).

3. On April 29, 2024, Staff sent a letter to Operator requesting that the issues with its application be corrected by May 29, 2024.¹ Staff's letter also states failure to correct the issues by the deadline would result in Staff filing a motion to dismiss the application.² To date, Operator has not filed affidavits of publication from the Wichita Eagle and official county newspaper.

¹ Exhibit A.

² *Id.*

WHEREFORE, for the reasons described above, Staff respectfully moves the Commission to issue an Order dismissing the application and closing the docket in this matter.

Respectfully submitted,

/s/ Kelcey Marsh

Kelcey A. Marsh, #28300
Litigation Counsel | Kansas Corporation Commission
266 N. Main, Suite 220 | Wichita, Kansas 67202
Phone: 316-337-6200 | Fax: 316-337-6211
k.marsh@kcc.ks.gov

April 29, 2024

David G. Withrow, Managing Partner
Edison Operating Company, LLC
8100 E 22nd St. N, Bldg. 1900
Wichita, KS 67226-2319

Re: Docket #24-CONS-3263-CEXC
Docket #24-CONS-3267-CEXC
Docket #24-CONS-3268-CEXC
Docket #24-CONS-3269-CEXC

Operator,

Commission Legal Staff received the applications in the referenced dockets on March 25, 2024. However, it appears that there is an issue that needs to be resolved. Notice of the applications needs to be published as required under K.A.R. 82-3-135a(d). Once notice has been published, the affidavits of publication will need to be filed in the appropriate dockets in order to supplement the applications.

Please file affidavits of publication pursuant to K.A.R. 82-3-135a(d) by May 29, 2024. Failure to do so will result in Staff filing a motion to dismiss any application without the affidavits filed for the reasons noted above. You may contact me at k.marsh@kcc.ks.gov if you have any questions.

Sincerely,

/s/ Kelcey Marsh
Kelcey Marsh, #28300
Litigation Counsel
Kansas Corporation Commission

cc: Kenny Sullivan, Eric MacLaren, District #1

CERTIFICATE OF SERVICE

24-CONS-3267-CEXC

I, the undersigned, certify that a true and correct copy of the attached Motion to Dismiss Application and Close Docket has been served to the following by means of first class mail and electronic service on June 7, 2024.

MICHAEL MAIER
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
m.maier@kcc.ks.gov

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
k.marsh@kcc.ks.gov

BRIAN J MCCOY
EDISON OPERATING COMPANY LLC
8100 E 22ND ST N BLDG 1900
WICHITA, KS 67226
bjm.windriver@yahoo.com

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
j.myers@kcc.ks.gov

ROBYN STALKFLEET, ADMINISTRATIVE SPECIALIST
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
r.stalkfleet@kcc.ks.gov

KENNY SULLIVAN, DISTRICT #1 SUPERVISOR
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
k.sullivan@kcc.ks.gov

DAVID G. WITHROW
EDISON OPERATING COMPANY LLC
8100 E 22ND ST N BLDG 1900
WICHITA, KS 67226

/s/ Paula J. Murray

Paula J. Murray