THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

2015-07-22 13:39:33 Kansas Corporation Commission /s/ Amy L. Gilbert

Before Commissioners:

Shari Feist Albrecht, Chair Jay Scott Emler Pat Apple

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In the matter of the failure of PetroSantander (USA) Inc. ("Operator") to report activity that occurred during the 2014 calendar year in compliance with K.A.R. 82-3-409.

Docket No.: 15-CONS-918-CPEN

CONSERVATION DIVISION

License No.: 32198

ORDER DESIGNATING PREHEARING OFFICER AND SETTING PREHEARING CONFERENCE

1. On June 2, 2015, the Commission issued the Penalty Order in this docket. On June 29, 2015, the operator timely appealed through counsel.

2. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds

that a Prehearing Officer should be designated in this proceeding to address any matters listed in

K.S.A. 77-517(b), and that a prehearing conference should be scheduled.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Lane R. Palmateer, Counsel, Kansas Corporation Commission, 266 N. Main, Ste. 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address <u>l.palmateer@kcc.ks.gov</u>.

B. A Prehearing Conference is scheduled for Tuesday, August 4, 2015. The Prehearing Conference shall begin at 1:30 p.m. and end by 2:30 p.m., at the Commission's offices, 266 N. Main St., Ste. 220, Wichita, Kansas 67202. Telephonic attendance may be permitted upon advance request. The Prehearing Conference will focus on the development of a procedural schedule for this docket. C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). <u>Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be held in default under the KAPA.</u>

E. <u>Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an</u> attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing <u>Conference, it shall be held in default under the KAPA.</u>

F. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number 316-337-6200, email <u>i.myers@kcc.ks.gov</u>.

G. 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.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: _____ JUL 2 1 2015

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Amy L. Gilbert Secretary

Mailed Date: ____ July 22, 2015

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CERTIFICATE OF SERVICE

I certify that on <u>July 22, 2015</u>, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jeff Kennedy Martin Pringle Oliver Wallace & Bauer 100 N. Broadway, Ste. 500 Wichita, Kansas 67202 *Attorney for the Appellant*

Liliana Hernandez PetroSantander (USA) Inc. 6363 Woodway Drive, Suite 350 Houston, TX 77057

and hand-delivered to:

Jonathan R. Myers Rene Stucky KCC Central Office

<u>/s/ Paula J. Murray</u> Paula J. Murray Legal Assistant Kansas Corporation Commission