## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Dwight D. Keen, Chair Shari Feist Albrecht Susan K. Duffy

In the matter of the failure of Thunderbolt Construction Corp. ("Operator") to comply with	-	Docket No: 19-CONS-3400-CPEN
K.A.R. 82-3-120.	)	CONSERVATION DIVISION
	)	License No: 34551

## PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE

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 June 11, 2019, the Commission issued a *Penalty Order* against Thunderbolt Construction Corp. (Operator) for one violation of K.A.R. 82-3-120(a) because an unplugged well or unplugged wells, for which Operator is responsible, remained on Operator's expired license.<sup>1</sup>
- 2. On July 12, 2019, Operator requested a hearing.<sup>2</sup> On July 25, 2019, the Commission issued an order setting an August 6, 2019, prehearing conference.<sup>3</sup>
- 3. At the August 6, 2019, prehearing conference, all parties consented to the electronic service of all documents<sup>4</sup> and orders.<sup>5</sup> Therefore, the Prehearing Officer directs that service of all documents and orders may be made by email. To the extent that it is practicable, any electronically served document or order shall be attached to the email and served in pdf format. Service of orders is

<sup>&</sup>lt;sup>1</sup> See Penalty Order, ¶ 10 (Jun. 11, 2019).

<sup>&</sup>lt;sup>2</sup> Request for Hearing (Jul. 12, 2019).

<sup>&</sup>lt;sup>3</sup> Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause B (Jul. 25, 2019).

<sup>&</sup>lt;sup>4</sup> See K.S.A. 77-519; Amended Order Authorizing Use of Electronic Service, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

<sup>&</sup>lt;sup>5</sup> See K.S.A. 77-531.

complete upon transmission.<sup>6</sup> Parties are encouraged to make sure large pdf files do not result in

delivery failure and to work together to resolve any email-based service issues.

4. As of this date, these are the email addresses for the parties and prehearing officer:

a. Staff: Carly Masenthin, c.masenthin@kcc.ks.gov;

b. Operator: Thor McKiearnan, thor@tbcc.us; and

c. Prehearing Officer: Jonathan R. Myers; j.myers@kcc.ks.gov.<sup>7</sup>

The Prehearing Officer notes that filing of documents with the Commission must still

be done either through the Commission's "e-filing express" system, or by mail or hand delivery to

the Commission.<sup>8</sup> The Prehearing Officer orders that if a document is filed by mail or hand delivery,

only the original copy must be supplied. The Commission, however, strongly encourages parties to

file through the "e-filing express" system. 10

6. The Prehearing Officer requests that any counsel filing a written entry of

appearance in this docket indicate in such filing whether he or she consents to electronic service

of all documents and orders.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

5.

Dated: August 7, 2019

Isl Jonathan R. Myers

Jonathan R. Myers **Prehearing Officer** 

**JRM** 

<sup>6</sup> See K.S.A. 77-531(b).

<sup>7</sup> See Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause A ("The Commission directs electronic service of all filings in the docket to include service on the Prehearing Officer.") (Jul. 25, 2019).

<sup>8</sup> See Amended Order Authorizing Use of Electronic Filing, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

<sup>9</sup> See id., ¶ 3.

<sup>10</sup> *Id.*,  $\P$  4.

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## **CERTIFICATE OF SERVICE**

## 19-CONS-3400-CPEN

I, the undersigned, cer	tify that a true copy of the attached Order has been served to the following by means of
-1	08/07/2019
electronic service on _	<del></del>

NANCY BORST KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 n.borst@kcc.ks.gov

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/S/ DeeAnn Shupe	
DeeAnn Shupe	