

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Application of Range Oil)	Docket No.: 15-CONS-469-CUIC
Company, Inc., to authorize the injection of)	
saltwater into the Simpson Formation at the)	CONSERVATION DIVISION
Bowman #2 well located in Section 4,)	
Township 29 South, Range 3 East, Butler)	License No.: 5120
County, Kansas.)	

DEFAULT ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

I. JURISDICTION

1. K.S.A. 77-520 provides that if a party fails to attend any stage of an adjudicative proceeding, the agency may issue a default order with a statement of the grounds. The party has seven days to file a written motion to vacate, stating the grounds relied upon.

II. FINDINGS OF FACT

2. On November 24, 2014, Range Oil filed an application to authorize the injection of saltwater into the Simpson Formation at the Bowman #2 well. On December 15, 2014, a three-page letter signed by 13 individuals was submitted to Commission Staff, stating that the signors were protesting the proposed injection.

3. On December 16, 2014, Commission Staff sent a letter to 2 of the 13 individuals, asking for the addresses of the other individuals, and asking whether the individuals felt a hearing should be scheduled. On December 22, 2014, the 2 individuals requested a hearing.

provided the addresses, and identified a 14th individual. Also on December 22, 2014, two more of the 14 individuals specifically requested a hearing.

4. On January 6, 2015, the Commission issued a three-page order setting a prehearing conference, which stated, in underlined text, “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.”

5. On January 29, 2015, the prehearing conference was held as scheduled. Brian and Sarah Mahan, Owen and Jan Amsden, Charles Harding and Janet Wilson Harding, James A. and Mary Kay Mitchell, and Lois A. Mitchell failed to attend the prehearing conference.

6. On February 11, 2015, Staff motioned for a default order against the parties that failed to attend the prehearing conference. No parties have filed a response.

III. CONCLUSIONS OF LAW

7. Staff’s motion for a default order should be granted.

THEREFORE, THE COMMISSION ORDERS:

A. Staff’s motion for a default order is granted. Brian and Sarah Mahan, Owen and Jan Amsden, Charles Harding and Janet Wilson Harding, James A. and Mary Kay Mitchell, and Lois A. Mitchell are dismissed from all further proceedings in this docket.

B. Pursuant to K.S.A. 77-520(b), any party may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order. An additional three additional days shall be added to this deadline to account for service by mail.

C. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Parties have 15 days, plus 3 days if service of this

order is by mail, from the date this order was served in which to petition the Commission for reconsideration.

D. The Commission retains jurisdiction of the subject matter and the parties and may enter additional orders as it deems appropriate.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: FEB 26 2015



Neysa Thomas
Acting Secretary

Mailed Date: February 26, 2015

JRM

CERTIFICATE OF SERVICE

I certify that on 2/26/15, 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:

John Washburn
Range Oil Company, Inc.
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And delivered by hand to:

Lane Palmateer (Litigation Counsel) & Alan Snider (UIC Supervisor)
Tony Vail (UIC Department)
Conservation Division Central Office

/s/ Jonathan R. Myers

Jonathan R. Myers

Litigation Counsel (Assistant General Counsel/Prehearing Officer in this docket)
Kansas Corporation Commission