THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:	Dwight D. Keen,	Chair
Deloie Commissioners.	B wight B. Heen,	CIIdi

Shari Feist Albrecht Jay Scott Emler

In the Matter of the Failure of Liberty Oper & Compl, Inc. ("Operator") to comply with	,	Docket No: 19-CONS-3135-CPEN
K.A.R. 82-3-407 at the Farr SWD (Salber B)	,	CONSERVATION DIVISION
#1 in Rooks County, Kansas.)	License No: 8925

PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Prehearing Officer finds the following:

- 1. On October 4, 2018, the Commission issued a *Penalty Order* against Liberty Operations & Completions, Inc. (Operator), concluding the Operator committed one violation of K.A.R. 82-3-407. On October 18, 2018, Operator requested a hearing.
- 2. On October 25, 2018, the Commission issued an *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a November 16, 2018, prehearing conference, which was subsequently continued as a January 30, 2019, status conference.²
- 2. At the January 30, 2019, status conference, all parties agreed to the following procedural schedule:

Staff Pre-filed Direct Testimony
Operator Pre-Filed Direct Testimony
Rebuttal Testimony
Due: March 11, 2019
Due: March 25, 2019
May 16, 2019, 10:00 a.m.

266 Main, Suite 220, Wichita, Kansas 67202

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¹ Penalty Order, ¶ 13.

² See Prehearing Officer Order Setting Status Conference, ¶ 2, 3 (Jan. 28, 2019).

Failure to submit pre-filed testimony may result in the Commission restricting the

right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission

may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

4. Any settlement agreement the parties wish to present for Commission consideration

shall be due by May 6, 2019.

3.

5. Any person requiring special accommodations under the Americans with

Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

6. Any party who fails to attend or participate in the evidentiary hearing or any other

stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.³

A corporation shall appear before the Commission by a Kansas licensed attorney.⁴ 7.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The procedural schedule set forth in Paragraph 2 above is adopted.

В. The Commission retains jurisdiction over the subject matter and parties for the

purpose of entering such further orders as it deems necessary.

Dated: February 1, 2019

Isl Jonathan R. Myers

Jonathan R. Myers Prehearing Officer

JRM

³ K.S.A. 77-518(c)(8); K.S.A. 77-520.

⁴ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

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CERTIFICATE OF SERVICE

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I, the undersigned, certify that the true copy of the attached Or	rder has been served to the following parties by means of
electronic service on02/01/2019	
JOSEPH W JETER JETER LAW FIRM LLP 1200 MAIN STREET SUITE 101 PO BOX 128 HAYS, KS 67601-0128 jjeter@jeterlawoffice.com	CHRISTOPHER W. SOOK JETER LAW FIRM LLP 1200 MAIN STREET SUITE 101 PO BOX 128 HAYS, KS 67601-0128 csook@jeterlawoffice.com
JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 316-337-6211 j.myers@kcc.ks.gov	RENE STUCKY KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 r.stucky@kcc.ks.gov
RICHARD WILLIAMS KANSAS CORPORATION COMMISSION DISTRICT OFFICE NO. 4 2301 E. 13TH STREET HAYS, KS 67601-2654 Fax: 785-271-3354 r.williams@kcc.ks.gov	LAUREN WRIGHT, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 316-337-6211 l.wright@kcc.ks.gov
_	S/ DeeAnn Shupe DeeAnn Shupe