

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

or Dissection of the Aorta of my Heart on June 1 and that for with the various complications from it, I spent most of the month in the Cardio-Thoracic ICU.”³ The Operator further stated that “[o]n the date of the Hearing, I was in KU Med and I was in no Medical Condition to attend the Hearing.”⁴

7. On August 23, 2018, the Prehearing Officer scheduled a Status Conference for September 27, 2018.⁵ A Status Conference was held on that date, wherein the parties agreed to a procedural schedule.

8. On October 2, 2018, the Commission issued a procedural schedule, setting this matter for hearing on December 20, 2018.⁶

9. On October 25, 2018, the Operator requested a continuance of this proceeding, stating that he will be undergoing a serious medical procedure on November 27, 2018, and is unsure of when he might be able to attend a hearing in Wichita.⁷

10. With a view towards conserving administrative resources, the Commission finds it imprudent to set a particular hearing date at this time. Instead, the Commission finds that a Status Conference shall be scheduled for January 10, 2019 at 9:00 a.m. At the Status Conference, the Operator shall be prepared to update the Commission on his ability to move forward with this proceeding.

11. Any party that fails to attend or participate in the Status Conference, hearing, or other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.⁸

³ Letter Requesting a Re-hearing, p. 1 (July 26, 2018).

⁴ Letter Requesting a Re-hearing, p. 1.

⁵ *Prehearing Officer Order Scheduling Status Conference*, Ordering Clause A (Aug. 23, 2018).

⁶ *Order Setting Procedural Schedule*, ¶ 7 (Oct. 2, 2018).

⁷ Kerry Patrick, Request for Continuance (Oct. 25, 2018).

⁸ K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

THEREFORE, THE COMMISSION ORDERS:

A. The procedural schedule previously set in this docket is cancelled.

B. A Status Conference is scheduled for **Thursday, January 10, 2019, at 9:00 a.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁹

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 11/15/2018



Lynn M. Retz
Lynn M. Retz
Secretary to the Commission

Date Mailed: 11/16/2018

MJD

⁹ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

18-CONS-3356-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

electronic service on 11/15/2018.

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/S/ DeeAnn Shupe

DeeAnn Shupe