## BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Investigation of Kansas	)	
Gas Service, A Division of ONE Gas	)	Docket No. 20-DPAX-080-PEN
	)	

## KANSAS GAS SERVICE'S UNOPPOSED MOTION TO EXTEND THE TIME FOR FILING AND PAYMENT

Kansas Gas Service, a division of ONE Gas, Inc. ("Kansas Gas Service") moves the Commission for an order extending the time to file response and/or to submit payment of the civil assessment as recommended in this docket. In support of the Motion, Kansas Gas Service states:

- 1. Kansas Gas Service is a natural gas public utility operating in the state of Kansas pursuant to certificates of convenience and necessity issued by the Commission. Its principal place of business in the state of Kansas is located at 7421 West 129<sup>th</sup> Street, Overland Park, Kansas 66213.
- 2. On August 12, 2019, Staff submitted to the Commission a Report and Recommendation ("Report") wherein Staff recommended the Commission issue a civil penalty against Kansas Gas Service for violations of the Kansas Underground Utility Damage Prevention Act ("KUUDPA"). Staff recommended the Commission find that Kansas Gas Service be assessed \$14,000 in penalties for a total of 14 alleged violations of KUUDPA.<sup>1</sup> Additionally, Staff noted that its recommendation included enhanced penalties for each incident complained of on the grounds that each violation represented a repeated issue.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> Report and Recommendation of Utilities Division, Executive Summary at page 1,

 $<sup>^{2}</sup>$  Id.

3. On August 29, 2019, the Commission issued a Penalty Order ("Order") initiating this docket. In its Order, the Commission indicated that a civil penalty was warranted due to violation(s) of the Kansas Underground Utility Damage Prevention Act.

4. Kansas Gas Service has met with Staff about an extension of time, and Staff indicated it was willing to engage in further discussions regarding this concern and does not oppose an extension to file a response and/or to pay the penalty. This extension would allow Kansas Gas Service and Staff to have additional discussions for the purpose of developing a mutually agreeable path forward. Therefore, Kansas Gas Service requests an expansion of time, to conclude at the close of business on November 22, 2019, to file either a response in this matter and /or to pay the civil assessment. This expansion of time will afford the parties additional time to address the important issues raised by Staff in its Report which are also the subject of the Commission's Order.

WHEREFORE, Kansas Gas Service prays for an order extending the time to file its response and payment in this docket.

Respectfully Submitted,

Judy Jonkins Hitchye, KS Bar No. 23300

Managing Attorney

KANSAS GAS SERVICE

A Division of ONE Gas, Inc.

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## **VERIFICATION**

STATE OF KANSAS	)
	)
COUNTY OF JOHNSON	)

I, Judy Jenkins Hitchye, of lawful age, being first duly sworn upon oath, states as follows: I am a Managing Attorney for Kansas Gas Service, a Division of ONE Gas, Inc. I have read the above *Unopposed Motion to Extend* and all the statements therein are true to the best of my knowledge, information and belief.

Judy Jenkins Hitchye

**Affiant** 

SUBSCRIBED AND SWORN to before me on \_9/17/19.

Notary public

My Appointment Expires:

06/05/22

STEPHANIE FLEMING
My Appointment Expires
June 5, 2022

## **CERTIFICATE OF SERVICE**

I, Judy Jenkins Hitchye, hereby certify that a copy of the above and foregoing *Unopposed Motion to Extend* was forwarded this 17th day of September 2019, addressed to:

CARLY MASENTHIN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 c.masenthin@kcc.ks.gov

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Judy Jenkins Hitchye, KS Bar No. 23300

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