

**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 failure of KC Resources,) Docket No.: 15-CONS-766-CPEN
Inc. dba Crystal River ("Operator") to comply)
with K.A.R. 82-3-407 at the Cunningham B) CONSERVATION DIVISION
Unit #41 and Cunningham B Unit #46 in)
Barber County, Kansas.) License No.: 3880

**ORDER DESIGNATING PREHEARING OFFICER
AND SETTING PREHEARING CONFERENCE**

1. On March 19, 2015, the Commission issued a Penalty Order to the captioned operator. On March 23, 2015, the operator filed an appeal through counsel.
2. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and that a prehearing conference should be scheduled.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Lane R. Palmateer, Counsel, Kansas Corporation Commission, 266 N. Main, Ste. 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address l.palmateer@kcc.ks.gov.

B. A Prehearing Conference is scheduled for Friday, May 8, 2015. The Prehearing Conference shall begin at 10:00 a.m. and end by 11:00 a.m., at the Commission's offices, 266 N. Main St., Ste. 220, Wichita, Kansas 67202. Telephonic attendance may be permitted upon advance request. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). 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.

E. Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it shall be held in default under the KAPA.


F. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number 316-337-6200, email j.myers@kcc.ks.gov.

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: APR 21 2015



Amy L. Gilbert
Secretary

Mailed Date: April 21, 2015

LRP

CERTIFICATE OF SERVICE

I certify that on 4/21/15, 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:

Jeffrey A. Wilson
Anderson & Byrd, LLP
216 S. Hickory, P.O. Box 17
Ottawa, KS 66067
Attorney for KC Resources

Reiner Klawiter
KC Resources, Inc., dba Crystal River
P.O. Box 6749
Snowmass Village, CO 81615

And delivered by hand to:

Jon Myers, Alan Snider
Conservation Division Central Office

/s/ Lane R. Palmateer
Lane R. Palmateer
Prehearing Officer and Assistant General Counsel
Kansas Corporation Commission