

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

Before Commissioners:                      Dwight D. Keen, Chair  
   Shari Feist Albrecht  
   Jay Scott Emler

In the Matter of the Failure of Agricultural )    Docket No: 19-CONS-3180-CPEN  
Energy Services (“Operator”) to comply with )  
K.A.R. 82-3-107 and K.A.R. 82-3-130 at the )    CONSERVATION DIVISION  
Don Thorp #3-23 in Seward County, Kansas. )  
\_\_\_\_\_ )    License No: 34089

**PREHEARING OFFICER ORDER CLOSING DOCKET**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1.        On November 27, 2018, the Commission issued a *Penalty Order* against Agricultural Energy Services (Operator) for one violation of K.A.R. 82-3-107 and K.A.R. 82-3-130, for failure to submit a complete and accurate well completion report for the subject well, with associated documents, within 120 days of the spud date.<sup>1</sup>
2.        On December 6, 2018, the Operator requested a hearing.<sup>2</sup>
3.        On February 11, 2019, the Operator withdrew its request for a hearing.<sup>3</sup>
4.        Based on the Operator’s withdrawal of its request for a hearing, the Prehearing Officer finds further proceedings are unnecessary.

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

- A.        The prehearing conference scheduled for February 14, 2019, is cancelled.

---

<sup>1</sup> *Penalty Order*, ¶ 10 (Nov. 27, 2018).

<sup>2</sup> Entry of Appearance and Request for Hearing (Dec. 6, 2018).

<sup>3</sup> Notice of Withdrawal of Request for Hearing (Feb. 11, 2019).

B. This docket is closed. Staff may handle any remaining administrative matters using its standard procedures. If any issue arises necessitating the reopening of this docket, then any party may request such at any time.

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

Dated: February 11, 2019

/s/ Jonathan R. Myers

Jonathan R. Myers  
Prehearing Officer

JRM

**CERTIFICATE OF SERVICE**

19-CONS-3180-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of  
02/11/2019  
first class mail and electronic service on \_\_\_\_\_.

MONTGOMERY ESCUE  
AGRICULTURAL ENERGY SERVICE INC.  
PO BOX 31865  
EDMOND, OK 73003-0032  
montgomery.escue@agenergy.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

KAREN RITTER  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
k.ritter@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

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

LEE THOMPSON, ATTORNEY  
THOMPSON LAW FIRM, LLC  
D/B/A THOMPSON LAW FIRM, LLC  
106 E 2nd Street N  
WICHITA, KS 67202  
Fax: 316-267-3901  
lthompson@tslawfirm.com

/s/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe