

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

Before Commissioners: Pat Apple, Chairman
Shari Feist Albrecht
Jay Scott Emler

In the Matter of the Application of) Docket No. 17-CONS-3443-CEXC
Benjamin M. Giles for an Exception to the)
10-year Time Limitation of K.A.R. 82-3-) CONSERVATION DIVISION
111 for his Whipple #2 Well Located in)
Seciton 7, Township 26 South, Range 5) License No.: 5446
East, Butler County, Kansas.)
_____)

PREHEARING OFFICER ORDER SETTING STATUS CONFERENCE

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 Commission finds and concludes as follows:

1. On January 13, 2017, Benjamin M. Giles (Operator) filed an Application requesting an exception to the ten-year temporary abandonment time limitation set forth in K.A.R. 82-3-111(b) for his Whipple #2 well located in Butler County, Kansas.¹
2. On July 11, 2017, Staff of the Commission (Staff) filed a Motion to Designate a Prehearing Officer, and Schedule a Prehearing Conference.²
3. On August 22, 2017, an Order Designating Prehearing Officer and Setting Prehearing Conference was filed setting a prehearing conference for October 2, 2017.³
4. On October 2, 2017, a Prehearing Conference was held and the parties subsequently agreed to hold a Status Conference on **Friday, November 3, 2017, at 10:00 a.m.** by telephone.

¹ Application, Jan. 13, 2017.

² Motion to Designate a Prehearing Officer, and Schedule a Prehearing Conference, Jul. 11, 2017.

³ Order Designating Prehearing Officer and Setting Prehearing Conference, Aug. 22, 2017.

5. The parties have consented to electronic service in this docket.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. A Status Conference shall be held on **Monday, November 3, 2017, at 10:00 a.m.**, by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN #7632914771.

B. The parties have consented to electronic service.

C. At the Status 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 Status Conference, hearing, or other stage of this proceeding may be held in default under the KAPA.⁴

D. The parties have 15 days from the date of electronic service of this Order to petition for reconsideration.⁵

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

Dated: October 10, 2017

/s/ Samuel Feather
Samuel Feather, Deputy General Counsel
Prehearing Officer

SF/sc

⁴ K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

⁵ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

I certify that on October 10, 2017, 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:

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And delivered electronically to:

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/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission