

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

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

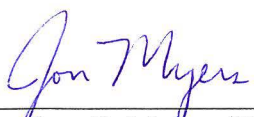
In the matter of the failure of Patrick)	Docket No.: 15-CONS-197-CPEN
Development Corporation ("Operator") to)	
comply with K.A.R. 82-3-400 at the Hegwald)	CONSERVATION DIVISION
#d-1 (WSW), Hendricks #PDC 11, Hendricks)	
#PDC 10 and Henrichs #PDC 9 wells in)	License No.: 6279
Woodson and Allen Counties, Kansas.)	

WITHDRAWAL OF MOTION FOR DEFAULT ORDER

On January 6, 2015, Staff filed a motion for a default order because Operator failed to submit pre-filed testimony. The Commission's October 2, 2014, Order stated that failure to participate in any stage of the proceeding shall result in default. The Prehearing Officer's October 23, 2014, and December 8, 2014, orders, which provided deadlines for submission of pre-filed testimony, both stated that failure to meet any deadline may result in default.

Operator does not deny its failure to submit testimony. Instead, it calls Staff's motion "ludicrous" and "an egregious effort to violate basic due process rights," stating that it wants to cross-examine Staff's witness.¹ Although the aforementioned orders state that default is a distinct possibility when no testimony is submitted, Operator did not inform the Commission or Staff of its plan to present no testimony. Nevertheless, Staff withdraws its motion.

Respectfully submitted,



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¹ See Response of Patrick Development Corporation To Commission Staff's Motion for a Default Order.

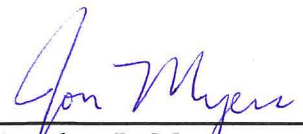
CERTIFICATE OF SERVICE

I certify that on 1 / 8 / 15, I caused a complete and accurate copy of this Withdrawal of Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jeff Kennedy
Martin Pringle et al.
100 N. Broadway, Suite 500
Wichita, Kansas 67202
Attorney for Patrick Development

And delivered by hand to:

Lane Palmateer
Conservation Division Central Office



Jonathan R. Myers
Litigation Counsel
Kansas Corporation Commission