

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

Before Commissioners: Susan K. Duffy, Chair  
Dwight D. Keen  
Andrew J. French

In the matter of whether the license of Thor ) Docket No: 24-CONS-3001-CSHO  
Operating, LLC (Operator) should be revoked. )  
) CONSERVATION DIVISION  
)  
\_\_\_\_\_ ) License No: 36020

**ORDER GRANTING MOTION  
TO VACATE PROPOSED DEFAULT ORDER**

The Commission rules as follows:

1. On July 3, 2023, Commission Staff motioned for the designation of a presiding officer and the scheduling of a prehearing conference, stating its position that Operator's license should be revoked and Operator's request to transfer various wells onto its license should be denied.<sup>1</sup> Operator did not respond.

2. On July 13, 2023, the Commission issued an Order Designating Presiding Officer and Setting Prehearing Conference, stating the purpose of this docket would be to consider whether Operator's license should be revoked and whether the wells should be transferred to Operator's license. The Commission set a July 27, 2023, prehearing conference. Operator failed to attend the prehearing conference.

3. On August 3, 2023, the Commission issued a Proposed Default Order against Operator, due to Operator's failure to appear at the July 27, 2023, prehearing conference.

4. On August 11, 2023, Operator filed a timely<sup>2</sup> motion to vacate the Proposed Default Order, and on August 15, 2023, Operator filed a supplement to the motion. As grounds to vacate

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<sup>1</sup> Staff identifies the wells as being located on Appleby, Dearmond, Flossie-White, McFarland-Delong, Morton, Sears, Wall and Williamson leases, as listed on Transfer of Operator (T-1) Forms dated between April 6 and May 9, 2023.

<sup>2</sup> See K.S.A. 77-520(b); K.S.A. 77-531(b).

the Order, Operator states it did not receive Staff's July 3, 2023, motion and the Commission's July 13, 2023, order. Operator acknowledges service appears to have been proper, such documents having been deposited in the mail to the correct mailing address for Operator.

5. The law disfavors default.<sup>3</sup> Operator has not previously demonstrated a pattern of disregard of Commission orders or scheduled hearings, has not missed any statutory deadline in this matter, and has obtained counsel.<sup>4</sup> Accordingly, the Commission finds it appropriate to grant Operator's motion to vacate the Proposed Default Order.

**THEREFORE, THE COMMISSION ORDERS:**

A. The August 3, 2023, Proposed Default Order is vacated.

B. A prehearing conference is scheduled for **Thursday, September 7, 2023, at 10:00 a.m.** by telephone. The conference call information is: telephone number (253) 205-0468, Meeting ID 5248125436.<sup>5</sup> **Operator must appear via a licensed attorney.**

**BY THE COMMISSION IT IS SO ORDERED.**

Duffy, Chair; Keen, Commissioner; French, Commissioner

Dated: 08/24/2023



\_\_\_\_\_  
Lynn M. Retz  
Executive Director

Mailed Date: 08/24/2023

JRM

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<sup>3</sup> See, e.g., *Garcia v. Ball*, 303 Kan. 560, 568 (2015).

<sup>4</sup> See Order Designating Presiding Officer and Setting Prehearing Conference, Ordering Clause B (Jul. 13, 2023) (requiring counsel).

<sup>5</sup> If prompted, there is no Participant ID; just press pound to continue.

**CERTIFICATE OF SERVICE**

24-CONS-3001-CSHO

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail and electronic service on 08/24/2023.

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