

**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 Application of Haas    )    Docket No: 19-CONS-3224-CUIC  
Petroleum, LLC to Amend Injection Permit    )  
E-31342, for the Thoele South Lease located    )    CONSERVATION DIVISION  
in Section 29, Township 18 South, Range 21    )  
East, Franklin County, Kansas.                    )    License No: 33640

**ORDER ON MOTION TO STRIKE**

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 the following:

**I. Findings of Fact**

1.        On December 17, 2018, Haas Petroleum, LLC (Operator) filed an Application to amend injection permit E-31342, requesting an increase in the authorized injection pressure, from 500 psi to 600 psi, for all wells subject to the permit.<sup>1</sup> On January 7, 2019, Cindy Hoedel filed a letter protesting the Application, as did Scott Yeargain and Polly Shteamer (collectively, “Protestors”).<sup>2</sup>
2.        On February 14, 2019, Operator filed a *Motion to Dismiss* Protestors for lack of standing. On February 22, 2019, Protestors jointly filed a *Reply to Motion to Dismiss*.
3.        On March 4, 2019, Commission Staff filed a motion to strike portions of Protestors’ *Reply to Motion to Dismiss*, stating that such portions of Protestors’ filing were irrelevant and were inadmissible hearsay.<sup>3</sup>
4.        On March 7, 2019, the Commission granted Operator’s *Motion to Dismiss*.<sup>4</sup>

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<sup>1</sup> Application (Dec. 17, 2018).

<sup>2</sup> Cindy Hoedel – Protest Letter (Jan. 7, 2019); Scott Yeargain and Polly Shteamer – Protest Letter (Jan. 7, 2019).

<sup>3</sup> Motion to Strike, ¶¶ 8-9 (Mar. 4, 2019).

<sup>4</sup> *Order on Motion to Dismiss*, Ordering Clause A (Mar. 7, 2019).

## II. Conclusions of Law

5. Since Protestors have been dismissed from these proceedings, there is no need to rule upon the merits of Staff's motion to strike portions of Protestors' response to the *Motion to Dismiss*.


### **THEREFORE, THE COMMISSION ORDERS:**

A. Staff's Motion to Strike is denied as moot.

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

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 03/21/2019

  
\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

Date Mailed: \_\_\_\_\_

JRM

## CERTIFICATE OF SERVICE

19-CONS-3224-CUIC

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

electronic service on 03/21/2019.

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