



### **III. CONCLUSIONS OF LAW**

4. The Commission finds the Operator's failure to attend the Prehearing Conference constitutes default. Staff's Motion for a Default Order should be granted.

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

A. Staff's Motion for a Default Order is granted.

B. The Operator's license shall be suspended until such time as compliance is obtained by the Operator plugging the subject wells, reimbursing the Commission for the costs of plugging the subject wells, or transferring the subject wells to a licensed operator.

C. Staff is directed to place the subject wells on the appropriate state plugging list, to plug them according to priority and as funds allow, and to assess the plugging costs to the Operator. This shall not preclude Staff from investigating additional potentially-responsible parties.

D. Staff shall revoke any injection authorizations applicable to the subject wells.

E. Pursuant to K.S.A. 77-520(b), any party may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order, with three additional days added to account for service by mail.

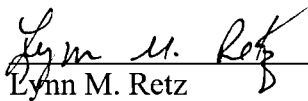
F. If a motion to vacate is not filed by the deadline, any party may then file a petition for reconsideration pursuant to K.S.A. 77-529(a) within 15 days. The petition shall be addressed to the Commission and sent to 266 N. Main, Suite 220, Wichita, Kansas 67202. Reconsideration is a prerequisite for judicial review.

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

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

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: SEP 28 2017

  
Lynn M. Retz  
Secretary to the Commission

Mailed Date: September 29, 2017

MJD

**CERTIFICATE OF SERVICE**

I certify that on September 29, 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:

Leon A. Johnson  
Western Energy  
18611 West Vanburen  
Buckeye AZ 85326

/s/ Paula J. Murray  
Paula J. Murray  
Legal Assistant  
Kansas Corporation Commission