THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Dwight D. Keen, Chair Shari Feist Albrecht Susan K. Duffy

In the matter of the failure of Bill and/or Penny)	Docket No: 19-CONS-3035-CPEN
M. McPherson dba McPherson Drilling Co.)	
("Operator") to comply with K.A.R. 82-3-120.)	CONSERVATION DIVISION
)	
)	License No: 5495

PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

- 1. On August 2, 2018, the Commission issued a *Penalty Order* against Bill and Penny M. McPherson (Operator) for one violation of K.A.R. 82-3-120(a) because three unplugged wells, for which Operator is responsible, remained on Operator's expired license. Operator did not request a hearing. Commission records indicate Operator did not timely renew its license, transfer the wells, or plug the wells as directed under the *Penalty Order*. On September 12, 2019, Commission Staff filed a *Motion to Approve Settlement Agreement*, stating that parties have reached a settlement in this matter, purportedly to avoid potential litigation costs and to foster administrative efficiency.
- 2. At an October 9, 2019, prehearing conference, all parties consented to the electronic service of all documents⁵ and orders.⁶ Therefore, the Prehearing Officer directs that service of all documents and orders may be made by email. To the extent practicable, any electronically served

¹ See Penalty Order, ¶¶ 6, 10, Exhibit A (Aug. 2, 2018).

² See Motion to Approve Settlement, at attached Settlement Agreement, ¶ 7 (Sept. 12, 2019).

³ See id.; Penalty Order at Ordering Clause C; see also K.A.R. 82-1-230(h).

⁴ See Motion to Approve Settlement, at attached Settlement Agreement, ¶ 13.

⁵ See K.S.A. 77-519; Amended Order Authorizing Use of Electronic Service, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁶ See K.S.A. 77-531.

document or order shall be attached to the email and served in pdf format. Service of orders is

complete upon transmission.⁷ Parties are encouraged to make sure large pdf files do not result in

delivery failure and to work together to resolve any email-based service issues.

As of this date, these are the email addresses for the parties and prehearing officer: 3.

a. Staff: Kelcey Marsh, k.marsh@kcc.ks.gov, and

Michael Glamann, m.glamann@kcc.gov;

b. Operator: Bill McPherson, bill.mcpherson.drilling@gmail.com, and

Penny McPherson, pennyshome1@gmail.com; and

c. Prehearing Officer: Jonathan R. Myers; j.myers@kcc.ks.gov.8

The Prehearing Officer notes that filing of documents with the Commission must still 4.

be done either through the Commission's "e-filing express" system, or by mail or hand delivery to

the Commission.⁹ The Prehearing Officer orders that if a document is filed by mail or hand delivery,

only the original copy must be supplied. 10 The Commission, however, strongly encourages parties to

file through the "e-filing express" system. 11

5. The Prehearing Officer requests that any counsel filing a written entry of

appearance in this docket indicate in such filing whether he or she consents to electronic service

of all documents and orders.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: October 11, 2019

Isl Jonathan R. Myers

Jonathan R. Myers Prehearing Officer

JRM

⁷ See K.S.A. 77-531(b).

⁸ See Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause A (Sep. 24, 2019).

⁹ See Amended Order Authorizing Use of Electronic Filing, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

¹⁰ See id., ¶ 3.

¹¹ *Id.*, ¶ 4.

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CERTIFICATE OF SERVICE

19-CONS-3035-CPEN

I, the undersigned,	certify that a true copy of	the attached Order	has been served to the	following by means of
	10/11/2019			
electronic service o	n			

BILL MCPHERSON, MCPHERSON DRILLING BILL MCPHERSON 15256 112 Rd. Winfield, KS 67156 bill.mcpherson.drilling@gmail.com

MICHAEL GLAMANN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 m.glamann@kcc.ks.gov

KELCEY MARSH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 k.marsh@kcc.ks.gov

PENNY MCPHERSON, MCPHERSON DRILLING PENNY MCPHERSON 15256 112 Rd. Winfield , KS 67156 pennyshome1@gmail.com DANIEL FOX, COMPLIANCE OFFICER, KCC DISTRICT 2 KANSAS CORPORATION COMMISSION DISTRICT OFFICE NO. 2 3450 N. ROCK RD BLDG 600 STE 601 WICHITA, KS 67226 Fax: 316-630-4005 d.fox@kcc.ks.gov

DONALD KLOCK
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 2
3450 N. ROCK RD BLDG 600 STE 601
WICHITA, KS 67226
Fax: 785-271-3354
j.klock@kcc.ks.gov

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 316-337-6211 j.myers@kcc.ks.gov

S/ DeeAnn Shupe	
DeeAnn Shupe	