

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

Before Commissioners: Andrew J. French, Chairperson
Dwight D. Keen
Annie Kuether

In the matter of the failure of NEC Operating –) Docket No: 26-CONS-3001-CPEN
Kansas, LLC (Operator) to comply with)
K.A.R. 82-3-120 and K.A.R. 82-3-133 by) CONSERVATION DIVISION
operating under a suspended license.)
_____) License No: 35920

PRESIDING OFFICER ORDER
GRANTING MOTION TO VACATE PROPOSED DEFAULT ORDER
AND SETTING STATUS CONFERENCE

On September 11, 2025, the Commission issued a Proposed Default Order against Operator due to Operator's failure to attend the August 28, 2025, prehearing conference in this matter via counsel. On September 19, 2025, Operator filed a motion (via counsel) to vacate the Proposed Default Order, stating that Operator had been unable to obtain counsel prior to August 28, 2025.

The Presiding Officer notes the attendance of a non-attorney on behalf of Operator, stating the same, at the August 28, 2025, prehearing conference. Upon review of Operator's motion, the Presiding Officer finds it reasonable to vacate the proposed default order. It is so vacated.

Noting that counsels for Staff and Operator are both scheduled to appear before the Presiding Officer for a prehearing conference in another matter on Thursday, September 25, 2025, at 1:15 p.m., a status conference is scheduled in this matter for the same date and time.

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: September 22, 2025

/s/ Jonathan R. Myers
Jonathan R. Myers
Presiding Officer

CERTIFICATE OF SERVICE

26-CONS-3001-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 09/22/2025.

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KCC Docket Room
