

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

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

In the matter of resolving various regulatory) Docket Nos: **23-CONS-3017-CPEN**
violations associated with Ace Energy, LLC) 23-CONS-3029-CPEN
(Operator).) 23-CONS-3087-CPEN
)
) CONSERVATION DIVISION
)
) License No: 34998

**ORDER CONSOLIDATING DOCKETS,
DESIGNATING PRESIDING OFFICER,
AND SETTING PREHEARING CONFERENCE**

The Commission rules as follows:

1. This matter involves three dockets:
 - a. Docket 23-CONS-3017-CPEN, in which a Penalty Order was issued on July 28, 2022, finding violations of K.A.R. 82-3-120 and 133, and assessing a \$10,000 penalty;
 - b. Docket 23-CONS-3029-CPEN, in which a Penalty Order was issued on August 9, 2022, finding violations of K.A.R. 82-3-407 and assessing a \$2,000 penalty; and
 - c. Docket 23-CONS-3087-CPEN, in which a Penalty Order was issued on September 20, 2022, finding violations of K.A.R. 82-3-400 and assessing a \$45,000 penalty.

2. On August 25, 2022, Operator requested hearings in Dockets 23-3017 and 23-3029.

On September 8, 2022, the Commission consolidated the two dockets, designated Assistant General Counsel Myers as Presiding Officer, and set a prehearing conference. The record indicates a prehearing conference was held on October 13, 2022, and that Presiding Officer Myers has authorized electronic service and issued a discovery order.

3. On October 13, 2022, Operator requested a hearing in Docket 23-3087. Presiding Officer Myers reports that at the aforementioned October 13, 2022, prehearing conference, the parties

consented to consolidation of Docket 23-3087 with those dockets, and agreed to a Thursday, December 1, 2022, prehearing conference.

4. Under K.A.R. 82-1-224, the Commission may consolidate two or more dockets for hearing on a common record if the Commission deems it to be in the public interest. The Commission deems it in the public interest, as a matter of judicial efficiency, to consolidate the captioned dockets.

THEREFORE, THE COMMISSION ORDERS:

A. The captioned dockets are consolidated. Each subsequent filing submitted in these dockets shall be captioned in the manner this order is captioned and shall be filed only in Docket 23-CONS-3017-CPEN. Commission employees shall then populate the filing in the other docket.


B. Presiding Officer Myers is authorized to and shall preside over Docket 23-3087 under the same terms set in the other dockets. Electronic service is authorized as in the other dockets; any party objecting to electronic service in Docket 23-3087 under such terms is directly to promptly file an objection. Discovery in Docket 23-3087 shall be governed as in the other dockets, under the terms described in the Presiding Officer's order in those dockets.

C. A prehearing conference is scheduled for **Thursday, December 1, 2022, at 1:15 p.m.** by telephone. The conference call information is: telephone number (913) 227-1201, passcode 417418. At the prehearing conference, parties shall be prepared to discuss all issues that will promote the orderly and prompt resolution of these proceedings.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Duffy, Commissioner; French, Commissioner

Dated: 10/25/2022


Lynn M. Retz
Executive Director

Mailed Date: 10/25/2022

JRM

CERTIFICATE OF SERVICE

23-CONS-3017-CPEN, 23-CONS-3029-CPEN, 23-CONS-3087-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 10/25/2022.

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