

JAN 24 2014

2014.01.24 16:00:21  
Kansas Corporation Commission  
/S/ Kim Christiansen

CONSERVATION DIVISION  
WICHITA, KS

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

Before Commissioners:

Shari Feist Albrecht, Chair  
Thomas E. Wright  
Jay Scott Emler

In the matter of the failure of B-C Steel, LLC	)	Docket No.: 14-CONS-234-CPEN
("Operator") to comply with K.A.R. 82-3-111	)	
at the Ankrom #1, Ankrom #5, Ankrom #6,	)	CONSERVATION DIVISION
Ankrom #7 and Ankrom #8 wells in Cowley	)	
County, Kansas.	)	License No.: 33711

**STAFF'S RESPONSE TO B-C STEEL'S MOTION TO JOIN PARTIES AND  
CONTINUE HEARING**

Commission Staff ("Staff") supports B-C Steel's Motion to Join Parties and Continue Hearing, and respectfully requests a partial order on this matter prior to February 3, 2014. In support, Staff offers the following:

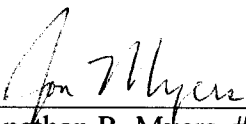
1. Staff believes B-C Steel is responsible for the five abandoned wells at issue in this proceeding. In support of this belief, Staff has a Request for Change of Operator ("T-1") form, received by Staff on April 13, 2009, and approved by Staff on April 16, 2009. The T-1 was signed by Bert Carlson on behalf of B-C Steel on March 19, 2009, and accepts responsibility for the wells effective March 19, 2009. Further, on January 2, 2014, B-C Steel certified that it was responsible for the five abandoned wells as part of its annual well inventory certification.

2. Although Staff believes B-C Steel is responsible for the five abandoned wells, if the facts as outlined in B-C Steel's motion are true, it is plausible that B-C Steel, Cudd Operating Corporation ("Cudd"), and Ronnie Whiteman d/b/a/ Gen-Dor Oil Company ("Whiteman") are all jointly and severally responsible for the wells. Staff notes that Cudd's operator's license expired in 2009, and Whiteman's has been suspended since 2012. But if B-C Steel's appeal shall be

heard by the Commission, the Commission may as well determine whether there are additional parties responsible for the abandoned wells.

3. Pursuant to K.A.R. 82-1-218, Cudd and Whiteman appear to have until February 6, 2014, to file a reply to B-C Steel's motion to join them as parties. After February 6<sup>th</sup>, it would be appropriate for the Commission to issue an Order regarding joining the parties. However, with a hearing on this matter currently scheduled for February 21, 2014, Staff's pre-filed testimony is due February 3, 2014. Staff therefore respectfully requests that the Commission issue an Order regarding B-C Steel's motion for a continuance prior to February 3<sup>rd</sup>, to avoid causing Staff to file unnecessary pre-filed testimony. Staff recommends that the Order indefinitely postpone the hearing.

Respectfully submitted,

  
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**CERTIFICATE OF SERVICE**

I certify that on 1/24/14, I caused a complete and accurate copy of this Staff's Response to B-C Steel's Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Timothy E. McKee  
Amy Fellows Cline  
2959 N. Rock Road, Suite 300  
Wichita, Kansas 67226  
*Attorneys for B-C Steel, LLC*

And delivered via email to:

Brian Fedotin  
Advisory Counsel  
Kansas Corporation Commission

  
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Jonathan R. Myers  
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Kansas Corporation Commission