

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Failure of Richardson and) Docket No: 19-CONS-3231-CPEN
Son, Inc. (“Operator”) to comply with K.A.R.)
82-3-407 at the Lorton #1 in Cowley County,) CONSERVATION DIVISION
Kansas.)
_____) License No: 32917

PREHEARING OFFICER ORDER
CANCELLING PREHEARING CONFERENCE

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 January 15, 2019, the Commission issued a Penalty Order against Richardson and Son, Inc. (Operator) for one violation of K.A.R. 82-3-407 because a current and successful MIT had not been performed on the Lorton #1 well.¹
2. On January 23, 2019, the Operator requested a hearing.²
3. On January 29, 2019, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing Conference, scheduling a February 14, 2019, prehearing conference.³
4. On February 12, 2019, Commission Staff (Staff) filed a Motion to Rescind Order, stating that Staff does not believe expending resources to prosecute this matter is in the best interests of the state and recommending the Commission rescind its Penalty Order.⁴

¹ *Penalty Order*, ¶8, 13 (Jan. 15, 2019).

² *Letter Requesting Hearing* (Jan. 23, 2019).

³ *Order Designating Prehearing Conference and Setting Prehearing Conference*, Ordering Clause ¶ B (Jan. 29, 2019).

⁴ *Motion to Rescind Order*, ¶ 4 (Feb. 12, 2019).

5. The Commission will likely soon consider Staff's motion. The Prehearing Officer does not believe a prehearing conference would now be necessary or useful.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The prehearing conference scheduled for February 14, 2019, is cancelled.

Dated: February 12, 2019

/s/ Jonathan R. Myers

Jonathan R. Myers
Prehearing Officer

JRM

CERTIFICATE OF SERVICE

19-CONS-3231-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail and electronic service on 02/12/2019.

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/S/ DeeAnn Shupe

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