

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

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

In the Matter the Application of IGWT, )     Docket No: 18-CONS-3383-CWLE  
Inc., for the assignment of and a location )  
exemption for the Varner Farms #1 located )     CONSERVATION DIVISION  
990' FNL and 1500' FWL of Section 33, )  
Township 25 South, Range 4 East, Butler )     License No: 3167  
County, Kansas. )

**ORDER DESIGNATING PREHEARING OFFICER AND  
SETTING PREHEARING CONFERENCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1.        On May 29, 2018, IGWT, Inc. filed an Application seeking an assignment of and a location exemption for the Varner Farms #1 located in Butler County, Kansas.<sup>1</sup>
2.        On June 11, 2018, Benjamin M. Giles filed a protest.<sup>2</sup>
3.        The Commission finds that a Prehearing Officer should be designated in this proceeding to address matters pursuant to K.S.A. 77-516-517.<sup>3</sup> The Commission also finds that a prehearing conference should be scheduled in this matter.

**THEREFORE, THE COMMISSION ORDERS:**

A.        The Prehearing Officer in this proceeding shall be Dustin Kirk, Deputy General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604-

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<sup>1</sup> Application (May 29, 2018).

<sup>2</sup> Letter of Protest – Benjamin M. Giles (June 11, 2018).

<sup>3</sup> See K.S.A. 77-551(c).

4027, telephone number (785) 271-3198, email address is [d.kirk@kcc.ks.gov](mailto:d.kirk@kcc.ks.gov). The Commission may designate other Staff members to serve in this capacity.

B. A Prehearing Conference is scheduled for **Tuesday, July 17, 2018, at 8:30 a.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act (KAPA). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default under the KAPA.<sup>4</sup>

E. A corporation shall appear before the Commission by a Kansas licensed attorney.<sup>5</sup>

F. The attorney designated to appear on behalf of the agency in this proceeding is Lauren Wright, Litigation Counsel, telephone number (316) 337-6200, [l.wright@kcc.ks.gov](mailto:l.wright@kcc.ks.gov).

G. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

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<sup>4</sup> K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

<sup>5</sup> K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 06/28/2018



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Lynn M. Retz  
Secretary to the Commission

Date Mailed: 06/29/2018

DLK/sc

**CERTIFICATE OF SERVICE**

18-CONS-3383-CWLE

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 06/28/2018.

BENJAMIN M. GILES  
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/S/ DeeAnn Shupe  
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DeeAnn Shupe