

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

Before Commissioners: Jay Scott Emler, Chairman  
Shari Feist Albrecht  
Pat Apple

In the Matter of the Failure of Marvin E. Boyer ) Docket No. 17-CONS-3349-CPEN  
Marital Trust ("Operator") to Comply with K.A.R. ) CONSERVATION DIVISION  
82-3-120. ) License No. 33855

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

1. On November 1, 2016, the State Corporation Commission of the State of Kansas (Commission) issued a Penalty Order against Operator alleging one violation of K.A.R. 82-3-120 due to an unplugged well(s) remaining on Operator's expired license.

2. On November 18, 2016, C. Duane McCammon, Trustee of the Marvin E. Boyer Marital Trust, Operator, requested a hearing on the matter.

3. The Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b). The Commission also finds that an prehearing conference should be scheduled in this matter.

**THEREFORE, THE COMMISSION ORDERS:**

A. The Prehearing Officer in this proceeding shall be Dustin L. Kirk, Deputy General Counsel, Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, telephone number 785-271-3198, email address [d.kirk@kcc.ks.gov](mailto:d.kirk@kcc.ks.gov).

B. A Prehearing Conference shall be held on **December 20, 2016, at 2:00 p.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, and scheduling of a hearing with the Commission.

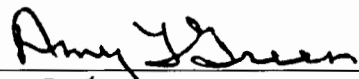
D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act (KAPA), K.S.A. 77-501 et seq. Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to KAPA.

E. Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it may be held in default pursuant to KAPA.

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

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: DEC 08 2016

  
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Amy L. Green  
Secretary to the Commission

Mailed Date: December 8, 2016

DLK/sc

**CERTIFICATE OF SERVICE**

I certify that on 12/8/16, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

C Duane McCammon or Brenda L. Morris  
Marvin E. Boyer Marital Trust  
PO Box 625  
Iola, KS 66749-0625

C Duane McCammon  
Trustee of the Marvin E Boyer Marital Trust  
Kretzmeier, McCammon & St. Clair, Inc.  
PO Box 747  
Iola, KS 66749

and delivered by e-mail to:

Jon Myers  
KCC Central Office

/s/ Paula J. Murray  
Paula J. Murray  
Legal Assistant  
Kansas Corporation Commission