

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

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

In the matter of the failure of Seth Farmer) Docket No.: 17-CONS-3524-CMSC
("Operator") to comply with K.A.R. 82-3-120.)
) CONSERVATION DIVISION
)
) License No.: 34863

**MOTION TO DISMISS PROTEST, CANCEL EVIDENTIARY HEARING,
AND CLOSE DOCKET**

Commission Staff (Staff) of the State Corporation Commission of the State of Kansas
(Commission) files this Motion. In support of its Motion, Staff states as follows:

I. Background

1. On April 4, 2017, the Commission issued a Penalty Order against Operator, finding Operator committed one violation of K.A.R. 82-3-120 for failure to timely renew Operator's license, directing Operator to come into compliance, and assessing a \$500 penalty.

2. On April 26, 2017, Operator filed a timely request for hearing. After multiple reschedulings, on September 26, 2017, the Commission issued an Order setting Staff's pre-filed direct testimony deadline for November 10, 2017, Operator's for November 17, 2017, and setting an evidentiary hearing for December 14, 2017.

3. On September 29, 2017, Staff filed a motion to approve a settlement agreement, whereby Operator admitted to the violation and would pay the penalty under an installment plan. The motion remains pending.

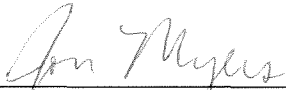
4. Prior to Staff's September 29, 2017, motion, Operator renewed his license. Subsequent to the motion, Operator made all payments due under the pending agreement. Therefore, Operator is now in full compliance with the Penalty Order.

II. Motion

5. Staff's counsel has discussed this matter with Operator, who has stated that he no longer wishes to contest this matter. Staff proposed that it would file a motion to have the protest dismissed and the docket closed, and Operator stated he was not opposed.

WHEREFORE, for the reasons described above, Staff moves the Commission to dismiss Operator's protest, to cancel the procedural schedule, and to close the docket. If the Commission declines to do so, then Staff requests an extension of its deadline to submit pre-filed testimony.

Respectfully submitted,




Jonathan R. Myers, #25975
Litigation Counsel, Kansas Corporation Commission
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VERIFICATION

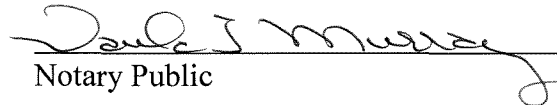
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.



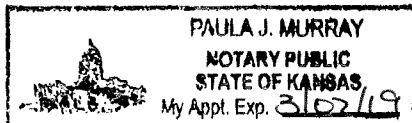
Jonathan R. Myers, S. Ct. #25975
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 8th day of Nov, 2017.



Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

I certify that on 11/8/17, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Seth Farmer
4760 E. Hwy 160
Independence, KS 67301

and delivered by e-mail to:

Jonathan R. Myers, Litigation Counsel
KCC Wichita Central Office

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office

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