

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

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

In the Matter of the Application of Altavista)	Docket No.: 14-CONS-863-CUIC
Energy, Inc., to authorize the injection of salt)	
water into the Squirrel Formation at the Jim)	CONSERVATION DIVISION
Bell Lease, Well No. AI-1, AI-2, AI-3, AI-4,)	
AI-5, AI-6, AI-7, AI-8, AI-9, AI-10, AI-11, AI-)	License No.: 34350
12, AI-13, AI-14, AI-16, located in Douglas)	
County, Kansas.)	

PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE

The Prehearing Officer sets the following procedural schedule, for the following reasons:

1. On June 5, 2014, a prehearing conference was held on this matter. The following parties were present at the prehearing conference: Altavista Energy, represented by Stanford J. Smith, Jr.; Commission Staff, represented by Jonathan R. Myers; and protestant Ralph Tomlinson. At the beginning of the prehearing conference, it was noted that there were additional parties that had signed the April 25, 2014, letter protesting this matter, who had not been notified of the prehearing conference.¹
2. At this point, the Prehearing Officer left the room so that the parties present could freely discuss Altavista's application. Upon the Prehearing Officer's return, the parties that were present recommended the following schedule in this matter:

¹ It appears that the April 25, 2014, protest letter was submitted in the form of a petition, mailed to the Commission by Mr. Tomlinson. The petition was signed by: Virgil Allen; Barbara & Ralph Tomlinson; Roma & Ralph Earles; and Franklin W. Turley. No addresses were included on the petition. On May 2, 2014, Staff sent a letter to Mr. Tomlinson, requesting confirmation that a hearing was requested. On May 12, 2014, Mr. Tomlinson sent a letter of confirmation, but without the names of the other individuals. However, there appears to be no dispute that the following individuals request a hearing: Virgil Allen, Barbara & Ralph Tomlinson, and Roma & Ralph Earles.

Status Conference	July 11, 2014
Applicant's Pre-filed Direct Testimony	Due by July 21, 2014
Protestant's Pre-filed Direct Testimony	Due by August 1, 2014
Staff's Pre-filed Direct Testimony	Due by August 11, 2014
Rebuttal Testimony & Potential Cross Exhibits	Due by August 15, 2014
Discovery Cut-Off	August 15, 2014
Evidentiary Hearing before the Commission ²	August 21, 2014, 10:00 a.m.
266 North Main, Suite 220, Wichita, Kansas 67202	

3. After recommending a schedule, the parties present at the prehearing conference agreed that Staff's attorney, Mr. Myers, would call the protestants that had not been notified of the prehearing conference, to confirm that the recommended schedule worked for the other protestants. The parties present at the prehearing conference further agreed that Mr. Myers could then contact the Prehearing Officer, to inform him whether the recommended schedule worked for all parties. The prehearing conference was then adjourned.

4. On June 6, 2014, Mr. Myers emailed the Prehearing Officer, informing him that the recommended schedule appears to work for all parties.³

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The schedule set forth above is hereby adopted. The parties did not suggest a time of day for the status conference. **Therefore, the July 11, 2014, status conference is scheduled for 10:00 a.m.** The status conference will be by telephone, and is anticipated to take approximately fifteen minutes. Parties must call the Prehearing Officer at 316-337-6200 for the dial-in number. **Any party not attending the status conference may be held in default by the Commission.**

² Parties are especially reminded that by the hearing date, the Conservation Division will have moved from 130 S. Market to 266 N. Main.

³ Mr. Myers's email is attached to this Order as an exhibit.

Lane R. Palmateer

From: Jon Myers
Sent: Friday, June 06, 2014 9:58 AM
To: Lane R. Palmateer
Subject: KCC Dkt 14-CONS-863-CUIC, procedural schedule

Mr. Palmateer:

Yesterday, I spoke individually with Virgil Allen and Ralph Earles by telephone, and I informed them of the status of this docket.

Mr. Allen and Mr. Earles stated that the recommended hearing date, and the recommended dates for pre-filed testimony, worked for them. Both of them stated that they had no objection to me relaying this information to you.

Both Altavista and Mr. Tomlinson have informed me that Mr. Turley no longer wishes to proceed with his protest. I did not speak with Mr. Turley, but I suggest that he should be mailed a copy of the procedural schedule.

For purposes of service, an internet search indicates that:

Virgil Allen's address is 1854 N. 250th Road, Baldwin City, Kansas 66006
Roma & Ralph Earles's address is 1780 N. 300th Road, Baldwin City, Kansas 66006
Franklin Turley's address is 1881 N. 250th Road, Baldwin City, Kansas 66006

Jon Myers

Litigation Counsel
Conservation Division
Kansas Corporation Commission
130 S. Market, Room 2078 | Wichita, KS | 67202-3802
Phone (316) 337-6200 | Fax (316) 337-6106 | <http://kcc.ks.gov/>

B. Parties should note that failure to meet any deadline may result in a default order or the exclusion of evidence by the Commission. Further, the Commission may limit direct and rebuttal testimony to the pre-filed testimony. All parties are encouraged to contact Staff with any procedural or technical questions.

Dated: 6/9/2014

Jane Palmateer
Jane Palmateer
Prehearing Officer

CERTIFICATE OF SERVICE

I certify that on 6/9/2014, 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:

Stanford J. Smith, Jr. & Jeff Kennedy
Martin, Pringle, Oliver, Wallace & Bauer, L.L.P.
100 North Broadway, Suite 500
Wichita, Kansas 67202
Attorneys for Altavista Energy, Inc.

Ralph & Barbara Tomlinson
1866 North 250th Road
Baldwin City, Kansas 66066

Virgil Allen
1854 North 250th Road
Baldwin City, Kansas 66006

Roma & Ralph Earles
1780 North 300th Road
Baldwin City, Kansas 66006

Franklin W. Turley
1881 North 250th Road
Baldwin City, Kansas 66006

And delivered by hand to:

Jon Myers
Litigation Counsel
Conservation Division Central Office

Alan Snider
Conservation Division Central Office



Lane Palmateer
Litigation Counsel (Prehearing Officer & Advisory Counsel in this matter)
Kansas Corporation Commission