

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

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

In the matter of an Order to Show Cause ) Docket No. 17-CONS-3153-CSHO  
issued to Fred L. Bellmyer ("Operator") )  
regarding responsibility under K.S.A. 55- ) CONSERVATION DIVISION  
179 for unplugged wells on an expired )  
license. ) License No: 30744

**ORDER CANCELLING PREHEARING CONFERENCE AND CLOSING DOCKET**

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 January 19, 2017, the Commission issued in this docket an *Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference*, which scheduled a Prehearing Conference for February 9, 2017.<sup>1</sup>

2. On February 9, 2017, at the Prehearing Conference in this matter, the parties agreed to continue the Prehearing Conference until April 6, 2017.<sup>2</sup>

3. On February 23, 2017, Commission Staff (Staff) filed a Motion to Cancel [the] Prehearing Conference and Close [the] Docket. Staff's Motion stated that conversations with Operator and other individuals, as well as a full review of Commission files, indicated that Operator is likely not responsible for the wells at issue in this docket.<sup>3</sup> Thus, Staff asked that the Prehearing Conference be cancelled and the docket be closed."<sup>4</sup> However, Staff stated it intends

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<sup>1</sup> Docket No. 17-CONS-3153-CSHO, *Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference*, Ordering Clause B (Jan. 19, 2017).

<sup>2</sup> *Prehearing Officer Order Continuing Prehearing Conference*, ¶ 2 (Feb. 20, 2017).

<sup>3</sup> Motion to Cancel Prehearing Conference and Close Docket, p. 1 (Feb. 23, 2017).

<sup>4</sup> *Id.*

to further investigate the wells at issue with a view to initiating any future legal proceedings that may be necessary.<sup>5</sup>

4. Based on Staff's Motion, the Commission affirms Staff's current resolution of the issue concerning Operator's wells in question. Thus, the Commission finds the matter is appropriately resolved, and this docket should be closed.

**THEREFORE, THE COMMISSION ORDERS:**

A. The Prehearing Conference is hereby cancelled, and the docket is closed.


B. Parties have 15 days, plus three days if mailed service, from the date this Order was served in which to petition the Commission for reconsideration.<sup>6</sup>

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

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

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: APR 04 2017

  
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Amy L. Green  
Secretary to the Commission

Mailed Date: April 4, 2017

MJD/sc

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<sup>5</sup> *Id.*

<sup>6</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

**CERTIFICATE OF SERVICE**

I certify that on 4/4/17, 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:

Fred L. Bellmyer  
509 N. Main Street  
Caney, KS 67333

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