

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

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

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|------------------------------------------------|---|-------------------------------|
| In the matter of the failure of Rama Operating |) | Docket No.: 16-CONS-3895-CPEN |
| Co., Inc. ("Operator") to comply with K.A.R. |) | |
| 82-3-111 at the Buckbee B #3 in Barton |) | CONSERVATION DIVISION |
| County, Kansas. |) | |
| <hr/> | | License No.: 3911 |

ORDER RESCINDING PENALTY

The above-captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On March 31, 2016, the Commission issued its Penalty Order.
2. On May 2, 2016, the Operator timely submitted its appeal.
3. On May 12, 2016, the Commission issued its Order Designating Prehearing Officer and Setting Prehearing Conference.
4. On May 23, 2016, Staff filed a Motion to Rescind Penalty. Staff indicated the subject well has been plugged. Staff indicated that there were differing positions and factual disputes surrounding whether the Penalty Order should have been issued. However, Staff indicated that only the \$100 penalty remained, and that litigating the factual disputes would not be efficient or useful in this case. No response was filed.
5. The Commission finds and concludes that the Penalty Order should be rescinded.

THEREFORE, THE COMMISSION ORDERS:

- A. The Penalty Order in this docket is hereby rescinded.

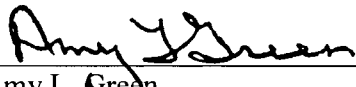
B. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). The petition shall be filed within 15 days after service of this Order. If service of this Order is by mail, three days are added to the deadline. The petition shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202. Pursuant to K.S.A. 77-529(a), reconsideration is prerequisite for judicial review of this Order. Any party taking an action permitted by this summary proceeding before the deadline for a petition for reconsideration does so at their own risk of further proceedings.

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

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: JUN 07 2016



Amy L. Green
Secretary to the Commission

Mailed Date: June 7, 2016

LRP

CERTIFICATE OF SERVICE

I certify that on June 7, 2016, 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:

Jon Schlatter
Morris Laing et al.
Old Town Square
300 N. Mead, Suite 200
Wichita, KS 67202
Attorney for Rama Operating

Robert L. Austin
Rama Operating Co., Inc.
101 S. Main Street
Stafford, KS 67578-1429

And delivered by e-mail to:

Jon Myers
KCC Litigation Counsel

Richard Williams
KCC District #4

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission