

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

Before Commissioners: Susan K. Duffy, Chair
Shari Feist Albrecht
Dwight D. Keen

In the matter of the application of Double “D”) Docket No: 20-CONS-3252-CUIC
Oil Company, Inc., to authorize the injection of)
saltwater into the Bartlesville formation at the) CONSERVATION DIVISION
Howard Moon #1 well, located in the NW/4 of)
Section 21, Township 32 South, Range 5 East,) License No: 30169
Cowley County, Kansas.)

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

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 the following:

1. On February 7, 2020, Double “D” Oil Company, Inc. (Operator) filed an Application seeking authorization for injection of saltwater into the Howard Moon #1 well in Cowley County.¹
2. Between March 5, 2020, and March 13, 2020, Roger and Allyson Moon, Garth and Amy Moon, and George H. Moon filed protests.²
3. The Commission finds a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b),³ and a Prehearing Conference should be scheduled.
4. Although a Prehearing Officer is designated, parties are still required to file pleadings with the Commission, and filings shall be made with the Commission’s Docket Room before 5:00 p.m. on the date scheduled for service. Any electronic service received after the deadline set forth in

¹ Operator’s Application identifies the well as the Hwrd Moon #1; Operator’s affidavit of publication identifies it as the Howard Moon #1. It is clear the Application refers to what is known in Commission databases as the Howard Moon #1, API #15-035-20867.

² See Letter of Protest (Mar. 9, 2020).

³ See also K.S.A. 77-551(c).

the procedural schedule, or any filing made after 5:00 p.m. on the date scheduled for service, shall be accompanied by a Motion to File Out-of-Time.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Jonathan R. Myers, Assistant General Counsel, Kansas Corporation Commission, 266 N. Main Street, Suite 220, Wichita, Kansas, 67202-1513, telephone number (316) 337-6245, email address j.myers@kcc.ks.gov. The Commission may designate other Staff members to serve in this capacity. **The Commission directs electronic service of all filings in the docket to include service on the Prehearing Officer and mailed service of all filings to be directed to the Prehearing Officer's attention.**

B. A Prehearing Conference is scheduled for **Thursday, June 4, 2020, at 2:00 p.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 3902542751.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

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). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default under the KAPA.⁴

E. A corporation shall appear before the Commission by a Kansas licensed attorney.⁵

⁴ K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).


⁵ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

F. The attorney designated to appear on behalf of the agency in this proceeding is Kelcey Marsh, Litigation Counsel, telephone number (316) 337-6200, k.marsh@kcc.ks.gov.

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Albrecht, Commissioner; Keen, Commissioner

Dated: 05/07/2020



Lynn M. Retz
Executive Director

Mailed Date: 05/07/2020

JRM

CERTIFICATE OF SERVICE

20-CONS-3252-CUIC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail and electronic service on 05/07/2020.

DONALD L. BUTLER
DOUBLE "D" OIL COMPANY, INC.
2009 JEAN CT
WINFIELD, KS 67156-9119
abutler12@cox.net

GARTH AND AMY MOON
16512 141ST RD
WINFIELD, KS 67156

GEORGE H. MOON
218 W EXCELSIOR ST
EXCELSIOR SPRINGS, MO 64024

JAKE EASTES, GEOLOGIST SPECIALIST
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
j.eastes@kcc.ks.gov

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
k.marsh@kcc.ks.gov

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
j.myers@kcc.ks.gov

RENE STUCKY
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
r.stucky@kcc.ks.gov

ROGER AND ALLYSON MOON
1606 FOWLER AVE
WINFIELD, KS 67156
allyson.moon@sckans.edu

/S/ DeeAnn Shupe

DeeAnn Shupe