THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

2016-01-21 14:28:43 Kansas Corporation Commission /s/ Amy L. Green

| Before Commissioners: | Jay Scott Emle Shari Feist Alb Pat Apple | - |
|--------------------------------------|--|------------------------------|
| In the matter of an Order to Show C | ause issued) | Docket No.: 16-CONS-591-CSHO |
| to Multiplex Resources, Inc. regardi | ing) | |
| responsibility under K.S.A. 55-179 | for plugging) | CONSERVATION DIVISION |
| five wells on the Neely Lease in Ne | osho) | |
| County, Kansas. |) | License No.: 34353 |

DEFAULT ORDER

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:

I. JURISDICTION

1. K.S.A. 77-520 provides that if a party fails to attend any stage of an adjudicative proceeding, the agency may issue a default order with a statement of the grounds. The party has seven days to file a written motion to vacate, stating the grounds relied upon.

II. FINDINGS OF FACT

2. On October 30, 2015, the Commission Staff filed a Motion for an Order to Show Cause, the Designation of a Prehearing officer, and the Scheduling of a Prehearing Conference.

3. On November 19, 2015, the Commission issued its Order to Show Cause,

Designating a Prehearing Officer, and Setting a Prehearing Conference. The order was returned as undeliverable.

4. On December 3, 2015, the Prehearing Conference was held as scheduled. The operator did not appear.

5. On December 9, 2015, Commission Staff filed a Motion to Reschedule Prehearing Conference due to a possible discrepancy in the address for the operator.

6. On December 22, 2015, the Prehearing Officer issued a Prehearing Officer Order Setting Prehearing Conference. The Order was served on both of the possible addresses for the operator. Both orders were returned as undeliverable.

7. On January 7, 2016, the Prehearing Conference was held as scheduled. The operator did not appear. Counsel for Staff verbally moved for a default order.

III. **CONCLUSIONS OF LAW**

8. The operator's failure to attend the prehearing conference constituted default under the KAPA. Staff's motion for a default order is granted.

THEREFORE, THE COMMISSION ORDERS:

A. Staff's motion for a default order is granted.

В. Pursuant to K.S.A. 77-520(b), Operator may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order, with three additional days added for service by mail. The motion shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202.

C. The Commission retains jurisdiction of the subject matter and the parties and may enter additional orders as it deems appropriate.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

JAN 2 1 2016 Dated:

Amy L. Green Secretary to the Commission

Jan. 21, 2016 Mailed Date: _

LRP

CERTIFICATE OF SERVICE

I certify that on $\frac{1/21/16}{}$, 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:

B. L. GuilesMultiplex Resources, Inc.3262 Westheimer Road #519Houston, Texas 77098

B. L. GuilesMultiplex Resources, Inc.13262 Westheimer Road #519Houston, Texas 77098

B. L. GuilesMultiplex Resources, Inc.1300 Rollingbrook Drive, Suite 605Baytown, Texas 77521

Justin Morris 906 N. Main St. Yates Center, Kansas 66783-1108 Resident Agent for Multiplex Resources, Inc.

John Almond KCC District #3 1500 W. 7th Avenue Chanute, KS 66720

and delivered by hand to:

Jonathan R. Myers KCC Central Office

<u>/s/ Paula Murray</u> Paula Murray Legal Assistant Kansas Corporation Commission