

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

IN THE MATTER OF THE FAILURE OF) DOCKET NO. 19-CONS-3271-CPEN
QUITO, INC. ("OPERATOR") TO COMPLY)
WITH K.A.R. 82-3-111 AT THE SOLOMON) CONSERVATION DIVISION
#3 AND SOLOMON #5 IN CHAUTAUQUA)
COUNTY, KANSAS.) LICENSE NO. 33594

IN THE MATTER OF THE FAILURE OF) DOCKET NO. 19-CONS-3272-CPEN
QUITO, INC. ("OPERATOR") TO COMPLY)
WITH K.A.R. 82-3-111 AT THE DOTY #3 IN) CONSERVATION DIVISION
CHAUTAUQUA COUNTY, KANSAS.)
LICENSE NO. 33594

PETITION FOR RECONSIDERATION

COMES NOW Quito, Inc. ("Quito"), by and through its attorneys, and requests that this Commission reconsider its Order dated January 30, 2020, in one respect.

1. As contemplated by K.S.A. 75-529, Quito seeks reconsideration. Pursuant to K.A.R. 82-3-211, the Commission has ordered that the penalty be paid, and that Quito shall plug the wells, return the wells to service, or obtain temporary abandonment status for the wells, within thirty (30) days. Quito is prepared to follow the Commission's order in that regard, with two exceptions.

2. First, Quito believes that the three penalties are unfair under K.A.R. 82-3-120, since Quito was unable to avoid the penalties in the administrative proceedings. Quito may have difficulty renewing its license with these penalties having been assessed.

3. Second, the difficulty is in the thirty (30) day requirement for Quito to comply with K.A.R. 82-3-111. Whether it plugs a well, or returns it to service, the winter months are

problematic. The Solomon wells are in a ravine and may be difficult to access. It will be very difficult to engage contractors in that timeframe, and the ground may be frozen and not easy to enter. Thirty (30) days is unreasonable, whereas ninety (90) days is a reasonable time for Quito to comply with the Commission's orders.

WHEREFORE, Quito requests in its Petition for Reconsideration that the \$300.00 in penalties not be assessed and that it be allowed ninety (90) days to comply with the Commission's Order in these consolidated dockets.

Respectfully submitted,
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 12th day of February, 2020, the Petition for Consideration was electronically filed and served to the following by means of electronic service:

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