

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

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

In the Matter of the Application of Berexco LLC ) Docket No. 17-CONS-3637-CEXC  
for a Second Exception to the 10-Year Time )  
Limitation of K.A.R. 82-3-111 for its Garden City ) CONSERVATION DIVISION  
A #4-29 well Located in the SW NW NW of Sec )  
29, T22S, R33W, Finney County, Kansas. ) License No. 34318  
)

**PREHEARING OFFICER ORDER CANCELLING PREHEARING CONFERENCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission has designated Samuel Feather, Deputy General Counsel, to act as Prehearing Officer in this proceeding.<sup>1</sup> Having reviewed the files and records, and being duly advised, the Prehearing Officer makes the following findings:

**Background**

1. On April 28, 2017, Berexco, LLC (Operator) filed an application for an additional exception to the 10-year limitation for the Garden City A #4-29 well Located in the SW NW NW of Sec 29, T22S, R33W, Finney County, Kansas.
2. On May 22, 2017, Bayshore Energy KS, LLC (Protestant) filed a protest of the application.
3. On June 6, 2017, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing Conference. The Commission scheduled a prehearing conference for July 17, 2017.
4. On July 13, 2017, Protestants filed a Notice of Withdrawal of Protest.

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<sup>1</sup> Order Designating Prehearing Officer and Setting Prehearing Conference, (June 6, 2017).

## **Findings and Conclusions**

5. In light of the of the Protestant's Notice of Withdrawal of Protest, the Prehearing Officer finds the Prehearing Conference scheduled for July 17, 2017 is no longer required and should cancelled. The Prehearing Officer, also, finds the application is no longer protested and thus Staff shall be free to process the application.

### **THEREFORE, THE PREHEARING OFFICER ORDERS:**

- A. The Prehearing Conference scheduled for July 17, 2017 is cancelled.
- B. The parties have 15 days from the date of service of this Order to petition for reconsideration.<sup>2</sup>
- C. The Commission retains the jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it deems necessary.

Dated: July 14, 2017

~~/s/ Samuel Feather~~  
Samuel Feather, Deputy General Counsel  
Prehearing Officer

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<sup>2</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

**CERTIFICATE OF SERVICE**

I certify that on July 14, 2017, I caused a complete and accurate copy of this Order to be served electronically and via United States mail, with the postage prepaid and properly addressed to the following:

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And delivered electronically to:

Jonathan Myers  
Litigation Counsel

Samuel Feather  
Deputy General Counsel

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