

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

Before Commissioners:                      Shari Feist Albrecht, Chair  
   Jay Scott Emler  
   Dwight D. Keen

In the Matter of the Application of Quito, Inc. to	)	Docket No.: 18-CONS-3304-CUIC
authorize injection of saltwater into the Arbuckle	)	
formation at the Royce #2 well located in the SE/4	)	CONSERVATION DIVISION
of Section 18, Township 31 South, Range 13 East,	)	
Elk County, Kansas.	)	License No.: 33594
_____	)	

**PREHEARING OFFICER ORDER CLOSING DOCKET**

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 Prehearing Officer finds and concludes as follows:

1. On January 10, 2018, Quito, Inc. filed an Application to authorize injection of saltwater into the Arbuckle formation at the Royce #2 well located in the SE/4 of Section 18, Township 31 South, Range 13 East, Elk County, Kansas.
2. On January 26, 2018, Russell and Deanna Jones filed a protest.
3. On February 15, 2018, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing Conference setting the matter for a prehearing conference on March 2, 2018.
4. On March 1, 2018, Jeff Kennedy filed an Entry of Appearance on behalf of Quito, Inc.
5. On March 6, 2018, the Prehearing Officer issued a Prehearing Officer Order Setting Status Conference; Discovery and Protective Orders establishing an agreed upon procedural schedule.

6. On April 12, 2018, Staff of the State Corporation Commission (Staff) filed a Motion to Modify Procedural Schedule regarding the Evidentiary Hearing date.<sup>1</sup>

7. On April 18, 2018, the Protestants filed a Notice of Withdrawal of Protest.

8. On May 9, 2018, Applicant filed a letter withdrawing its Application.

9. The Applicant has withdrawn the application and therefore there is no need for further Commission action. Pursuant to the Prehearing Officer's delegation under K.S.A. 77-551(c) to handle procedural matters pursuant to K.S.A. 77-517(b), the Prehearing Officer finds the docket should be closed.

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

A. This Docket shall be closed.

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

Dated: May 10, 2018

DLK/sc

//s Dustin L. Kirk  
For Samuel Feather  
Prehearing Officer

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<sup>1</sup> Motion to Modify Procedural Schedule at 1 (Apr. 12, 2018).

## **CERTIFICATE OF SERVICE**

18-CONS-3304-CUIC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 05/10/2018.

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/S/ DeeAnn Shupe

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