

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

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

In the matter of the Application of Belport Oil, Inc.) Docket No. 13-CONS-465-CEXC
for an exception to the 10-year time limitation of)
K.A.R. 82-3-111 for its Oscar West #202, #204,) CONSERVATION DIVISION
#403, #406 & #407 wells located in the SW/4 of)
Section 15, and the NW/4 of Section 22, Township) License No. 33809
22 South, Range 14 West, Stafford County, Kansas.)

MOTION TO SET APPLICATION FOR HEARING

The Staff of the Kansas Corporation Commission moves the Commission for an Order setting this matter for hearing, including the designation of a prehearing officer and the setting of a date for a prehearing conference, for the following reasons:

1. Temporary Abandonment status is not available for the captioned five wells, because the wells have been inactive for longer than 10 years. In KCC Docket 10-CONS-066-CEXC, the Commission granted a 10-year exception for three years, which expired in June 2013.
2. A second application was filed for these wells on June 10, 2013, and publication in the applicable newspapers was verified by filing on July 11, 2013. The application appears to contain sufficient information about the wells' future use to support administrative grant. But casing integrity tests ("CIT's"), which are required for administrative grant, were not performed.
3. The undersigned sent a letter to Belport on February 6, 2014, and a reply was sent immediately thereafter stating that the CIT's were expected to be performed by the end of the month. The Oscar West #202 passed a CIT on March 10, 2014, at 340 pounds of pressure. The Oscar West #406 passed a CIT on March 13, 2014, at 500 pounds of pressure.

4. The remaining three wells, Oscar West #204, #403, and #407, have not passed CIT's as of the date of this motion. The undersigned sent a second letter on July 14, 2014. Belport responded on July 31, 2014, stating two CIT's would be performed in late August or early September, and that the third CIT would be performed once a crop was harvested. Staff had no problem with this schedule, but the none of the three wells has passed CIT's as of the date of this motion.

5. Staff requests the Commission designate a prehearing officer and set this matter for prehearing conference. If the remaining three wells are subject to a successful CIT before the conference, which is encouraged, then Staff may request these wells be subject to administrative grant. In the alternative, Belport should obtain counsel to attend the prehearing conference, and the matter should be set for an evidentiary hearing at that time.

WHEREFORE, Staff moves the Commission to designate a prehearing officer, set this matter for prehearing conference, and then set the matter for an evidentiary hearing if needed.

Respectfully submitted,



Lane R. Palmateer, #23661
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Ste. 220
Wichita, Kansas 67202
Phone: 316-337-6200
Fax: 316-337-6106
Email: l.palmateer@kcc.ks.gov

CERTIFICATE OF SERVICE

I certify that on 9/30/2014, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

George L. Davenport
Belpart Oil, Inc.
1443 S. Norfolk Ave.
Tulsa, OK 74120-5610

Stephen Pfeifer
KCC District #1

And delivered by hand to:

Jon Myers, Litigation Counsel

/s/ Lane R. Palmateer
Lane R. Palmateer
Litigation Counsel
Kansas Corporation Commission