

**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 Berexco LLC )	Docket No.: 19-CONS-3160-CEXC
for a second exception to the Pit Closure Time )	
Limitations of K.A.R. 82-3-602(a)(2) for its )	CONSERVATION DIVISION
Love #1-18 and #1-18R Wells located in the NW )	
NE SE SE of Sec 18-30S-40W, Stanton County, )	License No.: 34318
<u>Kansas.</u> )	

**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 Commission finds and concludes as follows:

1.       On October 25, 2018, Berexco LLC (“Operator”) submitted an application seeking an exception to the Pit Closure Time Limitations of K.A.R. 82-3-602(a)(2).<sup>1</sup>
2.       On November 6, 2018, the Operator filed a Retraction of the Application stating that the pits subject to the application was closed on November 2, 2018. <sup>2</sup>
3.       In light of the Applicant’s withdrawal of the Application, the Commission finds further proceedings are unnecessary, and this docket should be closed.

**THEREFORE, THE COMMISSION ORDERS:**

- A.       This docket is closed.
- B.       Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>3</sup>

---

<sup>1</sup> Application (Oct. 25, 2018).

<sup>2</sup> Retraction of Application for Exception for Pit Closure (Nov. 6, 2018).


<sup>3</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

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

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Date: 11/20/2018



Lynn M. Retz  
Secretary to the Commission

Date Mailed: 11/21/2018

LW

## **CERTIFICATE OF SERVICE**

19-CONS-3160-CEXC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail and electronic service on 11/20/2018.

Brett Blazer  
BEREXCO LLC  
2020 N. BRAMBLEWOOD  
WICHITA, KS 67206-1094

Emma Richmond  
BEREXCO LLC  
2020 N. BRAMBLEWOOD  
WICHITA, KS 67206-1094

JONELLE RAINS  
KANSAS CORPORATION COMMISSION  
Conservation Division  
266 N. Main St. Ste. 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
j.rains@kcc.ks.gov

LAUREN WRIGHT, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
Conservation Division  
266 N. Main St. Ste. 220  
WICHITA, KS 67202-1513  
Fax: 316-337-6211  
l.wright@kcc.ks.gov

/S/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe