

**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 Berexco	)	Docket No.: 15-CONS-119-CUIC
LLC for an exception to the 10-year time	)	
limitation of K.A.R. 82-3-111 for its Chrisler-	)	CONSERVATION DIVISION
Elliot #3 well located in the NW NE NE of	)	
<u>Sec 12, T11S R16W Ellis County, Kansas.</u>	)	License No.: 34318

**ORDER DESIGNATING PREHEARING OFFICER  
& SETTING PREHEARING CONFERENCE**

1. On July 30, 2014, Berexco filed an application for an exception to the 10-year time limitation of K.A.R. 82-3-111 for the Chrisler Elliot #3. On August 12, 2014, MHW Enterprises, Inc. filed an objection to the application.

2. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b). The Commission also finds that an initial prehearing conference should be scheduled in this matter.

**THEREFORE, THE COMMISSION ORDERS:**

A. The Prehearing Officer in this proceeding shall be Jonathan R. Myers, Counsel, Kansas Corporation Commission, 266 N. Main, Suite 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address [j.myers.kcc.ks.gov](mailto:j.myers.kcc.ks.gov).

B. A Prehearing Conference is scheduled for Thursday, October 30, 2014. The Prehearing Conference shall begin at 1:30 p.m. and end by 2:30 p.m., at the Commission's offices, 266 N. Main, Suite 220, Wichita, Kansas 67202. Telephonic attendance may be

permitted. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be held in default under the KAPA.

E. Pursuant to K.A.R. 82-3-229(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it may be held in default under the KAPA.

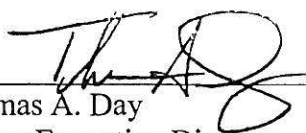
F. The attorney designated to appear on behalf of the agency in this proceeding is Lane R. Palmateer, telephone number 316-337-6200, email address [l.palmateer@kcc.ks.gov](mailto:l.palmateer@kcc.ks.gov).

G. 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, Com.; Apple, Com.

Dated: OCT 09 2014

  
Thomas A. Day  
Acting Executive Director

Mailed Date: 10/10/2014

JRM

I CERTIFY THE ORIGINAL  
COPY IS ON FILE WITH  
The State Corporation Commission

OCT 09 2014



**CERTIFICATE OF SERVICE**

I certify that on 10/10/2014, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Bruce E. Meyer  
Emma Richmond  
Berexco LLC  
2020 N. Bramblewood  
Wichita, Kansas 67206

Howard Wehrman  
MHW Enterprises, Inc.  
819 E. Rye Drive  
Sylvan Grove, Kansas 67481

And delivered by hand to:

Lane Palmateer  
Conservation Division Central Office

/s/ Jonathan R. Myers  
Jonathan R. Myers  
Litigation Counsel  
Kansas Corporation Commission