

Received  
KANSAS CORPORATION COMMISSION

**MAR 30 2017**

CONSERVATION DIVISION  
WICHITA, KS

**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 Notice of Denial of	)	Docket No.: 17-CONS-3529-
License Renewal Application for Agricultural	)	cmse
Energy Service, Kansas Operator License	)	CONSERVATION
Number 34089	)	DIVISION
	)	
	)	License No.: 34089

**AGRICULTURAL ENERGY SERVICES'**  
**WRITTEN REQUEST FOR HEARING**

COMES NOW Agricultural Energy Services, LLC (hereinafter "Applicant" or AES), by and through its attorney, Lee Thompson, Thompson Law Firm, L.L.C., and for its written request for hearing in the captioned matter, states as follows:

1. Applicant is a corporation organized to do business in the State of Kansas and has been issued a license to conduct oil and gas activities by the Kansas Corporation Commission ("Commission") under Operator License Number 34089.
2. On March 24, 2017, the Commission sent Applicant a notice of denial of license renewal application pursuant to K.S.A. §55-155 (c)(4) ("Notice of Denial") alleging that Applicant "appears" to be associated with First National Oil, Inc., License #6230, which has a suspended operator's license in Kansas.

3. The notice of denial constitutes a summary order pursuant to K.S.A. §77-537.

4. As the Notice of Denial is a summary order it does not, as a matter of law, take effect until after the time for requesting a hearing has expired. K.S.A. §77-537(a)(4). Thus, this notice of hearing stays any such attempted order.

5. In addition to affording Applicant its right to be heard, a hearing in this matter is absolutely necessary for the following reasons:

a. The putative justification for application of K.S.A. §55-155 (c)(4) in the Notice of Denial is factually incorrect and legally without merit. The referenced statute cannot, on its face and as a matter of law, be brought to bear on the Applicant, Agricultural Energy Services;

b. The Notice of Denial, if construed to affects the rights and privileges and status of AES is ultra vires, violates due process rights of AES and attempts in a fashion difficult to discern some form of corporate veil piercing unknown at law;

c. The Notice of Denial is a breach of prior Orders of the Commission and would seem to be taken in bad faith as it previously held that Agricultural Energy Services, LLC has no sufficient relationship to First National Oil, Inc. and that the corporate veil could not be pierced;

- d. The Commission is in breach of prior Orders in which the Commission held and acknowledged the “voluntary” commitment of the personal and separate resources of Montgomery A. Escue, not the Applicant, to assist the Commission.
5. Operator operates a substantial number of wells in the State of Kansas and will suffer immediate and irreparable harm if the Notice of Denial becomes a final order.

**WHEREFORE**, Applicant prays that this matter be set for hearing pursuant to K.S.A. § 77-737, and upon hearing, that the Commission approve Applicant’s license renewal application.

**Respectfully Submitted,  
Agricultural Energy Services, LLC**

By Lee Thompson

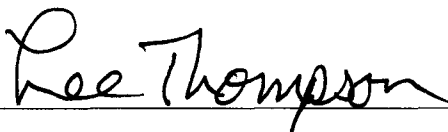
LEE THOMPSON, #08361  
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**Attorney for Applicant**

### VERIFICATION

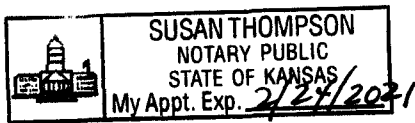
STATE OF KANSAS                    )  
  ) ss:  
COUNTY OF SEDGWICK        )


Lee Thompson, of lawful age, being first duly sworn, upon oath states:  
he has the authority on behalf of the Applicant to file this request for hearing, has  
read this document, knows the contents and knows all of the statements are true  
and correct.



Lee Thompson, Ks. # 08361

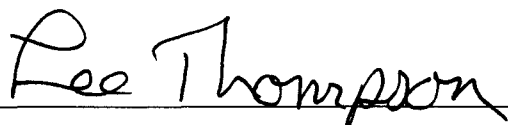
Subscribed and sworn for me this 30th day of March, 2017.



  
\_\_\_\_\_  
NOTARY PUBLIC

### CERTIFICATE OF SERVICE

I hereby certify on this 30th day of March, 2017, the true and correct  
original and seven copies of the above and foregoing Request for Hearing were  
hand delivered to the Commission at 266 N. Main, Suite 220, Wichita Kansas as  
directed in the Notice of Denial .

  
\_\_\_\_\_  
LEE THOMPSON