

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

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

In the matter of the failure of Quito, Inc.) Docket No: 19-CONS-3271-CPEN
("Operator") to comply with K.A.R. 82-3-111)
at the Solomon #3 and Solomon #5 in) CONSERVATION DIVISION
Chautauqua County, Kansas.)
_____) License No: 33594

In the matter of the failure of Quito, Inc.) Docket No: 19-CONS-3272-CPEN
("Operator") to comply with K.A.R. 82-3-111)
at the Doty #3 in Chautauqua County, Kansas.) CONSERVATION DIVISION
_____)
_____) License No: 33594

PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On February 26, 2019, the Commission issued penalty orders against Quito, Inc. (Operator) in these dockets, finding a total of three violations of K.A.R. 82-3-111.¹ On March 20, 2019, Operator filed a request for hearing in both dockets.² On April 2, 2019, the Commission issued an order joining the dockets and setting an April 23, 2019, prehearing conference.³

2. At the April 23, 2019, prehearing conference, all parties consented to the electronic service of all documents⁴ and orders.⁵ Therefore, the Prehearing Officer directs that service of all documents and orders may be made by email. To the extent that it is practicable, any electronically served document or order shall be attached to the email and served in pdf format. Service of orders is

¹ See Docket 19-CONS-3271-CPEN, *Penalty Order*, ¶ 6, 10; Docket 19-CONS-3272-CPEN, *Penalty Order*, ¶ 6, 10.

² See Docket 19-CONS-3271-CPEN, Request for Hearing; Docket 19-CONS-3272-CPEN, Request for Hearing.

³ *Order Joining Dockets, Designating Prehearing Officer, and Setting Prehearing Conference*, ¶ 4, Ordering Clause A.

⁴ See K.S.A. 77-519; *Amended Order Authorizing Use of Electronic Service*, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁵ See K.S.A. 77-531.

complete upon transmission.⁶ Parties are encouraged to make sure large pdf files do not result in delivery failure and to work together to resolve any email-based service issues.

3. As of this date, these are the email addresses for the parties and prehearing officer:

- a. Staff: Lauren Wright, l.wright@kcc.ks.gov;
- b. Operator: jkennedy@martinpringle.com;⁷ and
- c. Prehearing Officer: Jonathan R. Myers; j.myers@kcc.ks.gov.⁸

4. The Prehearing Officer notes that filing of documents with the Commission must still be done either through the Commission's "e-filing express" system, or by mail or hand delivery to the Commission.⁹ The Prehearing Officer orders that if a document is filed by mail or hand delivery, only the original copy must be supplied.¹⁰ The Commission, however, strongly encourages parties to file through the "e-filing express" system.¹¹

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: April 23, 2019

/s/ Jonathan R. Myers

Jonathan R. Myers
Prehearing Officer

JRM

⁶ See K.S.A. 77-531(b).

⁷ Operator, through counsel, consented to service of orders exclusively through counsel. See K.S.A. 77-531(a).

⁸ See *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause A ("The Commission directs electronic service of all filings in the docket to include service on the Prehearing Officer.") (Apr. 2, 2019).

⁹ See *Amended Order Authorizing Use of Electronic Filing*, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

¹⁰ See *id.*, ¶ 3.

¹¹ *Id.*, ¶ 4.

CERTIFICATE OF SERVICE

19-CONS-3271-CPEN AND 19-CONS-3272-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

electronic service on 04/23/2019.

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/s/ DeeAnn Shupe
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