

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

Before Commissioners:                    Andrew J. French, Chairperson  
    Dwight D. Keen  
    Annie Kuether

In the matter of the failure of Yellow Rose ) Docket No: 25-CONS-3376-CPEN  
Operating Co., LLC (Operator) to comply with )  
K.A.R. 82-3-407 at the Spradling #31 B and ) CONSERVATION DIVISION  
Spradling #52 wells in Labette County, Kansas. )  
\_\_\_\_\_ ) License No: 36119

**ORDER DESIGNATING PRESIDING OFFICER**

The Commission rules as follows:

1. On May 20, 2025, the Commission issued a Penalty Order in this docket against Operator. On June 18, 2025, Operator requested a hearing.

2. Under K.S.A. 77-551(c), the Commission finds a Presiding Officer should be designated in this proceeding to determine procedural matters that may arise prior to a hearing on the merits, including but not limited to conducting prehearing conferences.<sup>1</sup>

3. Under K.A.R. 82-1-228(d)(1), any party may either “appear before the Commission and be heard in person on that party’s own behalf,” or appear before the Commission through a licensed attorney. Because Operator is an artificial entity, it cannot appear in person.<sup>2</sup> Thus, Commission regulations require artificial entities such as Operator to appear before the Commission via counsel. Even if Commission regulations did not require counsel in this matter, the Commission finds it would be in the public interest to require counsel via order.<sup>3</sup>

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<sup>1</sup> See also K.S.A. 77-516 and K.S.A. 77-517.

<sup>2</sup> See *State ex rel. Stephan v. Williams*, 246 Kan. 681, 691 (1990).

<sup>3</sup> The administration of justice is efficiently furthered by requiring persons licensed to practice law and familiar with procedure to represent artificial entities. See *In re Arnold*, 274 Kan. 761, 770 (2002). See also K.S.A. 77-515(c) (“A state agency may require a corporation or other artificial person to participate by counsel.”).

**THEREFORE, THE COMMISSION ORDERS:**

A. The Presiding Officer for prehearing matters in this proceeding shall be Jonathan R. Myers, Assistant General Counsel, Kansas Corporation Commission, 266 N. Main Street, Suite 220, Wichita, Kansas, 67202-1513, telephone number (316) 337-6245, email address jon.myers@ks.gov. The Commission may designate others to serve in this capacity.

B. Although a presiding officer is designated, parties are still required to file pleadings with the Commission, and filings shall be made with the Commission's docket room. Any filing received after 5:00 p.m. shall be considered filed the next business day. In addition, any late filing shall be accompanied by a Motion to File Out-of-Time. **The Commission directs electronic service of all filings in the docket to include service on the Presiding Officer and mailed service of all filings to be directed to the Presiding Officer's attention.**

C. Operator shall appear in this matter via a licensed attorney. The attorney designated to appear on behalf of the agency in this proceeding is Tristan Kimbrell, Litigation Counsel, telephone number (316) 337-6200, tristan.kimbrell@ks.gov.

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 06/26/2025

  
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Celeste Chaney-Tucker  
Executive Director

Mailed Date: 06/26/2025  
JRM

## **CERTIFICATE OF SERVICE**

25-CONS-3376-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 06/26/2025.

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/S/ KCC Docket Room  
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