THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Dwight D. Keen, Chair Shari Feist Albrecht Susan K. Duffy

In the matter of the failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-407	•	Docket No: 20-CONS-3039-CPEN
at the Paulsen #8B in Butler County, Kansas.)	CONSERVATION DIVISION
) _)	License No: 5446

PREHEARING OFFICER ORDER SETTING STATUS CONFERENCE

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:

- On August 6, 2019, the Commission issued a *Penalty Order* against Benjamin M. 1. Giles (Operator) for one violation of K.A.R. 82-3-407 because a current and successful mechanical integrity test had not been performed on the Paulsen #8B well.¹
 - On September 5, 2019, a hearing was requested.² 2.
- At an October 1, 2019, prehearing conference, attended by the Prehearing Officer, 3. counsel for Commission Staff, and counsel for MGM Oil Co., Inc., the persons present agreed to set a status conference for October 10, 2019, to allow for discussion of the possibility of resolution of this matter absent the need for a procedural schedule.

¹ See Penalty Order, ¶¶ 8, 13 (Aug. 6, 2019).

² Request for Hearing (Sept. 5, 2019). The Commission's September 17, 2019, Order Designating Prehearing Officer and Setting Prehearing Conference mistakenly identified the date of the hearing request as August 20, 2019, although the footnote correctly cited to September 5, 2019.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A Status Conference is scheduled for Thursday, October 10, 2019, at 4:00 p.m. by A.

telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code

PIN: 3902542751.

At the Status Conference, parties shall be prepared to discuss deadlines for filing В.

testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and/or any

other issues that will promote the orderly and prompt resolution of this proceeding.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: October 7, 2019

Isl Jonathan R. Myers

Jonathan R. Myers Prehearing Officer

JRM

2

CERTIFICATE OF SERVICE

	20-CONS-3039-CPEN	
, the	e undersigned, certify that a true copy of the attached Order has	been served to the following by means of
irst	class mail and electronic service on	
1100	dass than and clost offic service on	 :
	BENJAMIN M. GILES, CHARLENE A. GILES BENJAMIN J. GILES 821 HIGH STREET TOWANDA, KS 67144-9047	DANIEL FOX, COMPLIANCE OFFICER, KCC DISTRICT 2 KANSAS CORPORATION COMMISSION DISTRICT OFFICE NO. 2 3450 N. ROCK RD BLDG 600 STE 601 WICHITA, KS 67226 Fax: 316-630-4005 d.fox@kcc.ks.gov
	MICHAEL GLAMANN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 m.glamann@kcc.ks.gov	KELCEY MARSH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 k.marsh@kcc.ks.gov
	JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 316-337-6211 j.myers@kcc.ks.gov	RENE STUCKY KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 r.stucky@kcc.ks.gov
	JONATHAN A. SCHLATTER, ATTORNEY MORRIS LAING EVANS BROCK & KENNEDY CHTD 300 N MEAD STE 200 WICHITA, KS 67202-2745 Fax: 316-262-6226 jschlatter@morrislaing.com	

/S/ DeeAnn Shupe DeeAnn Shupe