

**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 failure of Benjamin M. Giles ("Operator") to comply with K.A.R. 82-3-104 and K.A.R. 82-3-111 at the Flying J Geer #2 OWWO well in Butler County, Kansas.)	Docket No.: 17-CONS-3684-CPEN
)	CONSERVATION DIVISION
)	License No.: 5446

**MOTION FOR CONTINUANCE OF PROCEDURAL DEADLINES
AND EVIDENTIARY HEARING**

Commission Staff (Staff) of the State Corporation Commission of the State of Kansas (Commission) files this Motion for a continuance of the procedural deadlines and the evidentiary hearing in this docket. In support of its Motion, Staff states as follows:

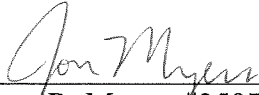
1. On June 27, 2017, Operator was penalized. On July 31, 2017, Operator timely requested a hearing. On November 16, 2017, the Commission issued an order setting a procedural schedule. Staff's testimony is due January 22, 2018; Operator's is due January 29; rebuttal is due February 5; a list of contested issues is due February 12; and the evidentiary hearing is scheduled for February 15, 2018.

2. Staff and Operator are in the midst of settlement negotiations, attempting to resolve this and five other open dockets. After consultation with Operator's counsel, Staff believes this matter may be able to be resolved without the need for an evidentiary hearing. Staff believes a continuance would assist in settlement, and Operator is not opposed.

3. Accordingly, Staff requests its testimony be due February 19, 2018; Operator's due February 26; rebuttal due March 5; a list of contested issues due March 12; and the evidentiary hearing scheduled for March 15, 2018.

WHEREFORE, Staff requests this motion be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jon Myers", is written above a horizontal line.

Jonathan R. Myers, #25975

Litigation Counsel

Kansas Corporation Commission

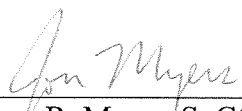
266 N. Main, Suite 220, Wichita, Kansas 67202

Phone: 316-337-6200; Fax: 316-337-6211

VERIFICATION

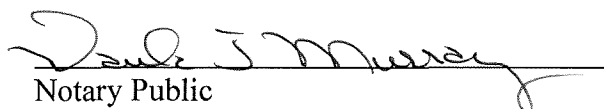
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.



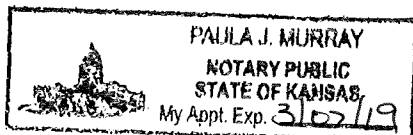
Jonathan R. Myers, S. Ct. #25975
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 2 day of Jan, 2018.



Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

I certify that on 1/2/18, I caused a complete and accurate copy of this Motion to be served electronically to the following:

Jonathan Schlatter
Morris Laing Evans Brock & Kennedy, Chtd.
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Attorney for Benjamin Giles

Jonathan R. Myers, Litigation Counsel
KCC Wichita Office

Michael Duenes, Assistant General Counsel
KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission