2014.10.03 13:31:26 Kansas Corporation Commission 787 Thomas A. Day

THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Shari Feist Albrecht, Chair Jay Scott Emler Pat Apple

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In the Matter of the Application of Dexxon, Inc. for an Amendment to a Permit Authorizing the Disposal of Produced Water into the Applicant's Latimer #2 well in the NE/4 of Section 12, Township 33 South, Range 2 West, Sumner County, Kansas. Docket No.: 15-CONS-240-CUIC

CONSERVATION DIVISION

License No.: 34935

ORDER DESIGNATING PREHEARING OFFICER <u>& SETTING PREHEARING CONFERENCE</u>

1. On August 7, 2014, Dexxon, Inc. filed an application for amended injection authority at the Latimer #2. On September 11, 2014, Mike & Betty Staley filed an objection to the application.

2. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds

that a Prehearing Officer should be designated in this proceeding to address any matters listed in

K.S.A. 77-517(b). The Commission also finds that an initial prehearing conference should be scheduled in this matter.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be Jonathan R. Myers, Counsel, Kansas Corporation Commission, 266 N. Market, Suite 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address <u>j.myers.kcc.ks.gov</u>.

B. A Prehearing Conference is scheduled for Tuesday, October 28, 2014. The Prehearing Conference shall begin at 3:30 p.m. and end by 4:30 p.m., at the Commission's offices, 266 N. Market, Suite 220, Wichita, Kansas 67202. Telephonic attendance may be

permitted. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). <u>Any party that fails to attend</u> or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be <u>held in default under the KAPA.</u>

E. <u>Pursuant to K.A.R. 82-3-229(d)(2), corporations must enter an appearance via an</u> attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing <u>Conference, it shall be held in default under the KAPA.</u>

F. The attorney designated to appear on behalf of the agency in this proceeding is Lane R. Palmateer, telephone number 316-337-6200, email address <u>l.palmateer@kcc.ks.gov</u>.

G. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED. Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: OCT 0 2 2014

Thomas A. Day Acting Executive Director

Mailed Date:

JRM

COPY IS ON FILE WITH The State Corporation Commission

I CERTIFY THE ORIGINAL

CERTIFICATE OF SERVICE

I certify that on $\frac{10 214}{102}$, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Eddie Rongey Dexxon, Inc. P.O. Box 348 Kiefer, Oklahoma 74041

Amy Fellows Cline Triplett Woolf & Garretson LLC 2959 N. Rock Road Wichita, Kansas 67226

Mike & Betty Staley 62520 State Highway 11 Shidler, Oklahoma 74652

And delivered by hand to:

Alan Snider, UIC Dept. Jerry Knobel, UIC Dept. Lane Palmateer, Litigation Counsel Conservation Division Central Office

<u>/s/ Jonathan R. Myers</u> Jonathan R. Myers Litigation Counsel (Prehearing Officer in this matter) Kansas Corporation Commission