

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

Before Commissioners: Jay Scott Emler, Chairman  
Shari Feist Albrecht  
Pat Apple

In the matter of an Order to Show Cause issued to ) Docket No.: 16-CONS-3989-CSHO  
Asher Associates, Inc. ("Operator") regarding )  
responsibility under K.S.A. 55-179 for unplugged ) CONSERVATION DIVISION  
wells. )  
\_\_\_\_\_ ) License No.: 4868

**DEFAULT ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I. JURISDICTION**

1. K.S.A. 77-520 provides that if a party fails to attend any stage of an adjudicative proceeding, the agency may issue a default order with a statement of the grounds. The party has seven days to file a written motion to vacate, stating the grounds relied upon.

**II. FINDINGS OF FACT**

2. On April 26, 2016, the Commission Staff filed a Motion for an Order to Show Cause, the Designation of a Prehearing officer, and the Scheduling of a Prehearing Conference.

3. On May 12, 2016, the Commission issued its Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference.

4. On June 6, 2016, the Prehearing Conference was held as scheduled. The operator did not appear. Counsel for Commission Staff verbally moved for a default order.

### III. CONCLUSIONS OF LAW

5. The operator's failure to attend the prehearing conference constituted default under K.S.A. 77-520. Staff's motion for a default order is granted.

6. The Commission finds the captioned operator in default of these proceedings.

#### **THEREFORE, THE COMMISSION ORDERS:**

A. Staff's motion for a default order is granted.

B. The Commission finds the captioned operator in default of these proceedings.

C. Pursuant to K.S.A. 77-520(b), Operator may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order, with three additional days added for service by mail. The motion shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202.

D. The Commission retains jurisdiction of the subject matter and the parties and may enter additional orders as it deems appropriate.

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

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: JUN 21 2016

  
\_\_\_\_\_  
Amy L. Green  
Secretary to the Commission

Mailed Date: June 21, 2016

LRP

**CERTIFICATE OF SERVICE**

I certify that on June 21, 2016, 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:

Elain Mundorf  
Asher Associates, Inc.  
6044 E. Briarwood Drive  
Centennial, Colorado 80112-1030

And delivered by email to:

John McCannon  
Litigation Counsel  
KCC Conservation Division Central Office

/s/ Cynthia K. Maine  
Cynthia K. Maine  
Administrative Assistant  
Kansas Corporation Commission