

**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 application of Walcher) Docket No.: 26-CONS-3077-CMSC
Oil, LC (Operator) for an operator's license)
renewal.) CONSERVATION DIVISION
)
_____) License No.: 33810

ORDER DENYING APPLICATION FOR LICENSE

The Commission rules as follows:

I. JURISDICTION

1. Under K.S.A. 55-155, the Commission is authorized to license operators and contractors as defined by K.S.A. 55-150.
2. Under K.S.A. 55-155(c)(3), (4), and K.A.R. 82-3-120(g), to obtain approval of a license or license renewal, an applicant:
 - a. If registered with the federal securities and exchange commission, must demonstrate to the Commission's satisfaction that the applicant complies with all requirements of Chapter 55 of the Kansas Statutes Annotated, and amendments thereto, all rules and regulations adopted thereunder and all commission orders and enforcement agreements; or
 - b. If not registered with the federal securities and exchange commission, must demonstrate to the Commission's satisfaction that the following individuals comply with all requirements of Chapter 55 of the Kansas Statutes Annotated and amendments thereto, all rules and regulations adopted thereunder, and all commission orders and enforcement agreements: (1) the applicant; (2) any officer, director, partner, or member of the applicant; (3) any stockholder

owning in the aggregate more than 5% of the stock of the applicant; and (4) any spouse, parent, brother, sister, child, parent-in-law, brother-in-law, or sister-in-law of the foregoing.

3. K.A.R. 82-3-120(i) provides an application or renewal application shall be denied if the applicant has not satisfied the requirements of K.A.R. 82-3-120, denial of a license constitutes a summary proceeding under K.S.A. 77-537, and a denial pursuant to K.S.A. 55-155(c)(3) or (4) is considered a license revocation. K.S.A. 55-155(e) and K.A.R. 82-3-120(j) provide that upon revocation of a license, no new license shall be issued to that operator or contractor until after the expiration of one year from the date of the revocation.

II. FINDINGS OF FACT

4. On May 28, 2025, Operator submitted an application for license renewal. Upon review, Commission Staff determined the application did not meet the requirements of K.S.A. 55-155(c) and K.A.R. 82-3-120(g) because Operator's license was suspended for noncompliance with the Commission's Penalty Order in Docket 25-CONS-3025-CPEN.

5. On May 29, 2025, Commission Staff sent a letter to Operator stating Staff would recommend denial of Operator's application if the underlying compliance issues were not resolved by June 29, 2025.¹ Operator's license has since been suspended for non-compliance with Docket 25-CONS-3410-CPEN.

6. The Commission takes administrative notice of its records, which indicate Operator's license is still suspended for non-compliance with the Commission's Penalty Orders.²

III. CONCLUSIONS OF LAW

7. Operator's application does not meet the requirements of K.S.A. 55-155(c)(4) and K.A.R. 82-3-120(g)(2), because Operator is suspended for non-compliance with Commission penalty orders.

¹ Exhibit A.

² See K.A.R. 82-1-230(h).

THEREFORE, THE COMMISSION ORDERS THAT:

A. Operator’s license application is denied. Operator may not reapply until at least one year from the date of this denial.

B. Operator’s application is being denied via summary proceedings; thus, this Order Denying Application for License does not take effect until after the time for requesting a hearing has expired.³ Any party may request a hearing on the above issues by submitting a written request to the Commission at 266 N. Main, Suite 220, Wichita, Kansas 67202, within 15 days from the date of service of this Order.⁴ A request for hearing must comply with K.A.R. 82-1-219. If a hearing is not requested, then this Order Denying Application for License shall become effective upon expiration of the time for requesting a hearing.⁵

C. If this Order Denying Application for License becomes effective, then any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁶

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/18/2025



Celeste Chaney-Tucker
Executive Director

Mailed Date: 09/18/2025

KAM

³ See K.S.A. 77-537.

⁴ See K.S.A. 77-542.

⁵ See K.S.A. 77-537.

⁶ See K.S.A. 55-606; K.S.A. 77-503(c); K.S.A. 77-531(b).

**ACTION REQUIRED:
LICENSE RENEWAL**

May 29, 2025

Brian Phillips
Walcher Oil, LC
315 W 9th Street
Charlotte, NC 28202-1707

RE: Renewal of License No. 33810

Operator:

Commission Staff is in receipt of your May 28, 2025, license renewal application. Available records indicate that your license is currently suspended for non-compliance with Commission orders in Docket 25-CONS-3025-CPEN.

Under K.S.A. 55-155(c)(4), no application or renewal shall be approved until the applicant has demonstrated to the Commission's satisfaction that the operator complies with all requirements of K.S.A. Chapter 55, all rules and regulations adopted thereunder, and all Commission orders and enforcement actions.

Staff cannot approve your application at this time. If the underlying compliance issues are not resolved, then Staff will recommend to the Commission that your license renewal application be denied. Upon resolution of the underlying compliance issues, please contact the legal department at the number listed above, so that Staff may confirm they have been resolved.

Please resolve the underlying compliance issues by **June 29, 2025**, to avoid Staff recommending that your license renewal application be denied.

Sincerely,

/s/Tristan Kimbrell
Tristan Kimbrell, #27720
Litigation Counsel
Kansas Corporation Commission

cc: Nancy Borst

CERTIFICATE OF SERVICE

26-CONS-3077-CMSC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 09/18/2025.

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/S/ KCC Docket Room
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