

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

In the Matter of the Failure of Patrick) Docket No.: 19-CONS-3045-CPEN
Development Corporation (“Operator”) to)
report activity that occurred during the 2017) CONSERVATION DIVISION
calendar year in compliance with K.A.R. 82-3-)
409.) License No.: 6279

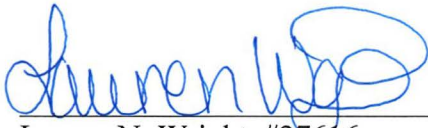
MOTION FOR DEFAULT ORDER

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), moves the Commission for a Default Order to be issued against the Operator. In support of its motion, Staff states as follows:

1. On August 09, 2018, the Commission issued a Penalty Order against the Operator in the captioned docket.
2. On August 16, 2018, the Operator filed a timely appeal. On September 06, 2018, the Commission issued an order setting this matter for an October 11, 2018, prehearing conference.
3. Counsel for Staff appeared at the pre-hearing conference on October 11, 2018, but the Operator failed to appear. Staff made a verbal Motion for Default at the prehearing conference. The Prehearing Officer requested the Motion be submitted in writing.
4. Pursuant to K.S.A. 77-520(a), “[i]f a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties written notice of a proposed default order, including a statement of the grounds.”
5. Staff believes Operator was properly noticed and afforded an opportunity to attend and participate in the October 11, 2018, prehearing conference, but failed to do so. Therefore, Staff requests that a default order be issued against Operator.

WHEREFORE, for the reasons set forth above, Staff respectfully requests the Commission issue a default order against Operator for failure to appear and participate, and for any further relief as the Commission deems just and proper.

Respectfully submitted,



Lauren N. Wright, #27616
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)

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

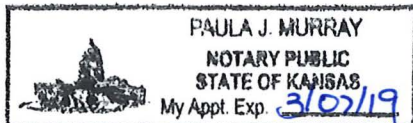


Lauren N. Wright, S. Ct. #27616
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 19 day of Oct, 2018.


Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

19-CONS-3045-CPEN

I, the undersigned, certify that the true copy of the attached Motion for Default Order has been served to the following parties by means of first class mail and electronic service on October 19, 2018.

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
m.duenes@kcc.ks.gov

KERRY PATRICK
PATRICK DEVELOPMENT CORPORATION
3408 W 93RD RD
LEAWOOD, KS 66206
patrickdev@sbcglobal.net

RENE STUCKY
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
r.stucky@kcc.ks.gov

LAUREN WRIGHT, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
l.wright@kcc.ks.gov

/S/ Paula J. Murray

Paula J. Murray