

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

Before Commissioners: Susan K. Duffy, Chair
Dwight D. Keen
Andrew J. French

In the matter of the failure of Tailwater, Inc.) Docket No: 21-CONS-3032-CPEN
(Operator) to comply with K.S.A. 55-172 and)
K.A.R. 82-3-603 at the South Kempnich Lease) CONSERVATION DIVISION
in Anderson County, Kansas.)
_____) License No: 32461

PRESIDING OFFICER ORDER SETTING PROCEDURAL SCHEDULE

The Presiding Officer finds and concludes as follows:

1. At an October 16, 2020, prehearing conference, all parties agreed to the following procedural schedule, which is hereby adopted:

Commission Staff Pre-Filed Direct Testimony	Due: November 25, 2020
Operator Pre-Filed Direct & Rebuttal Testimony	Due: January 6, 2021
Commission Staff Pre-Filed Rebuttal Testimony	Due: January 27, 2021

Deadline to Make Discovery Requests:	January 27, 2021
Deadline to Submit Any Settlement for Consideration:	January 27, 2021

Evidentiary Hearing before the Commission: **To Be Determined**

2. The Presiding Officer shall be in communication with the parties regarding further development of the procedural schedule, including scheduling of the evidentiary hearing.

3. Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

4. Any person requiring special accommodations under the Americans with Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

5. Any party who fails to attend or participate in the evidentiary hearing or any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.¹

6. Parties shall appear before the Commission via a Kansas-licensed attorney.²

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: October 23, 2020

/s/ Jonathan R. Myers

Jonathan R. Myers
Presiding Officer

JRM

¹ K.S.A. 77-518(c)(8); K.S.A. 77-520.

² See K.S.A. 77-515(c); K.A.R. 82-1-228(d).

CERTIFICATE OF SERVICE

21-CONS-3032-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
electronic service on 10/23/2020.

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/S/ DeeAnn Shupe

DeeAnn Shupe