

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

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

In the matter of the failure of Todd Miller dba) Docket No.: 15-CONS-192-CPEN
Speedy Well Service ("Operator") to comply)
with K.A.R. 82-3-400 at the C W Smith #21A) CONSERVATION DIVISION
well in Chautauqua County, Kansas.)
_____) License No.: 32933

ORDER APPROVING SETTLEMENT AGREEMENT

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:

1. On August 26, 2014, the Commission issued a Penalty Order to the operator for one violation of K.A.R. 82-3-400. The Penalty Order assessed a \$1,000 penalty. The Penalty Order was mailed on September 9, 2014.

2. On October 3, 2014, Staff moved the Commission to approve a settlement agreement, which was signed by both parties. The settlement agreement reduces the penalty to \$500. Staff has recommended to the Commission that the settlement agreement proposed by the parties constitutes a fair and efficient resolution of the issues in this docket.

3. The Commission finds and concludes that the settlement agreement provides a fair and efficient resolution to the issues in this docket.

THEREFORE, THE COMMISSION ORDERS:

- A. The attached Settlement Agreement is approved and incorporated into this Order.
- B. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). The petition shall be filed within 15 days after

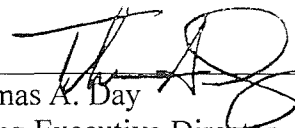
service of this Order. If service of this Order is by mail, three days are added to the deadline. The petition shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202. Pursuant to K.S.A. 55-606, K.S.A. 66-118b, and K.S.A. 77-529(a), reconsideration is prerequisite for judicial review of this Order. Any party taking an action permitted by this summary proceeding before the deadline for a petition for reconsideration does so at their own risk of further proceedings.

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Com.; Apple, Com.


Dated: OCT 21 2014


Thomas A. Day
Acting Executive Director

Mailed Date: 10/22/14

LRP

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

OCT 21 2014


SETTLEMENT AGREEMENT

This Settlement Agreement is between Todd Miller dba Speedy Well Service (“Operator”) and the Staff of the Corporation Commission of the State of Kansas (“Staff”). The effective date of this Settlement Agreement shall be the date it is approved by an Order of the Commission. If the Commission does not approve this Settlement Agreement by a signed Order, then this Settlement Agreement shall not be binding on either party. This Settlement Agreement shall settle the proceedings instituted in Commission Docket Number 15-CONS-192-CPEN.

A. Background

1. The August 26, 2014, Penalty Order in this docket required Operator to pay \$1,000 for one violation of K.A.R. 82-3-400 at the C W Smith #21 A. Operator filed a timely appeal.

2. In discussions with Staff, Operator has described the circumstances that lead to inadvertent over-pressurization at the C W Smith #21 A. The circumstances have been resolved to the satisfaction of Staff. Thus, Staff recommends that the penalty order in this docket should be reduced.

B. Terms of Settlement

3. Instead of paying \$1,000, Operator shall pay \$500 in this docket, which shall be due within 30 days from the date this Settlement Agreement is approved by an Order of the Commission.

4. Operator agrees to waive its right to appeal any future orders of the Commission regarding this matter, or any suspension of Operator’s license implemented by Commission Staff due to Operator’s failure to comply with this Settlement Agreement.

C. Conclusion

Both parties believe that this Settlement Agreement represents a fair and appropriate resolution to the matters in this docket, and that the Settlement Agreement accomplishes the Commission's duty to enforce Kansas laws pertaining to the protection of usable waters and the prevention of pollution caused by oil and gas activities.

This Settlement Agreement has been agreed to by the undersigned:

Commission Staff

By: Jon Myers

Printed Name: JON MYERS

Title: LITIGATION COUNSEL

Date: 10/3/14

Todd Miller dba Speedy Well Service

By: Todd Miller

Printed Name: Todd Miller

Title: Operator

Date: 9-30-14

CERTIFICATE OF SERVICE

I certify that on 10/22/14, 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:

Todd Miller
dba Speedy Well Service
402 W. Elm
Sedan, Kansas 67361

And delivered by hand to:

Jon Myers
Alan Snider
KCC Conservation Division

/s/ Lane R. Palmateer
Lane R. Palmateer
Litigation Counsel
Kansas Corporation Commission