

Conservation Division
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Wichita, KS 67202-3802



2012-05-16 08:01:49
Kansas Corporation Commission
/s/ Patrice Petersen-Klein

Phone: 316-337-6200
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<http://kcc.ks.gov/>

Mark Sievers, Chairman
Ward Loyd, Commissioner
Thomas E. Wright, Commissioner

Sam Brownback, Governor

May 16, 2012

Zafar Ullah
Atlas Operating LLC
15603 Kuykendahl, Ste. 200
Houston, Texas 77090

RE: Hearing Cancelled – Withdrawal or Amendment of Application Needed
KCC Docket No.: 12-CONS-238-CUIC

Mr. Ullah:

We discussed this matter on Monday, and you informed me that Atlas will likely pursue injection into a different formation. We agreed that this would require either a withdrawal of the current application and a new injection application, or an amendment to the current application. We also agreed that, either way, notice and publication of the new/amended application will be necessary.

Accordingly, we are cancelling the hearing on this matter. The docket will be kept open until a withdrawal or amendment of the application is filed. I would strongly encourage you to communicate with Randy Kopper in the UIC Department, and with Steve Gough, attorney for Messenger Petroleum, Inc., to ensure that the proposed change will address all concerns.

Thanks again, and please call or reply with any questions.

Sincerely,

Lane R. Palmateer
Litigation Counsel

cc: Alan Snider & Randy Kopper, KCC UIC Department
Steven D. Gough, Withers, Gough, Pike, Pfaff & Peterson, LLC
O.W. Garvey Building, 200 W. Douglas, Ste. 1010, Wichita, Kansas 67202