

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 Notice of Denial of) Docket No: 17-CONS-3475-CMSC
License Application Issued to Ernie D. Pratt.)
) CONSERVATION DIVISION
)
) License No.: 35165

PREHEARING OFFICER ORDER CONTINUING STATUS CONFERENCE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On March 2, 2017, the Commission issued in this docket its *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a Prehearing Conference in this matter for March 23, 2017.¹

2. On June 13, 2017, the Commission issued its *Order Setting Procedural Schedule*.

3. On July 21, 2017, Commission Conservation Staff (Staff) filed a Motion to Approve Settlement Agreement and to Adjust Procedural Schedule.

4. On July 24, 2017, the Prehearing Officer stayed the procedural schedule in this docket “until the Commission can take up the matter of the Settlement Agreement.”²

5. On November 15, 2017, the parties held a status conference and agreed to continue the proceeding another 60 days to allow Staff to conduct further research on the well at issue and, if necessary, work out any plugging arrangements with Mr. Pratt.

¹ Docket No. 17-CONS-3475-CMSC, *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B, ¶ 3 (Mar. 2, 2017) (stating that “[u]pon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and a Prehearing Conference should be scheduled”).

² *Prehearing Officer Order Staying the Procedural Schedule*, ¶ 3 (July 24, 2017).

6. On January 16, 2018, the parties held another status conference, wherein Mr. Pratt acknowledged that the well at issue has been located, he has found a plugger, and anticipates the well being plugged by the end of the week of January 22, 2018. Based on this information, the parties agreed to continue this matter another thirty (30) days.

7. Thus, the Prehearing Officer finds that an additional status conference by telephone shall be scheduled for **February 22, 2018, at 9:30 a.m.**

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. A status conference shall be scheduled for **Thursday, February 22, 2018, at 9:30 a.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN: 7632914771#.

B. Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to the KAPA.³

C. A corporation shall appear before the Commission by a Kansas licensed attorney.⁴

D. Parties have 15 days from the date of electronic service of this Order to petition for reconsideration.⁵

E. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

Dated: January 16, 2018

/s/ Michael J. Duenes

Michael J. Duenes
Prehearing Officer

MJD

EMAILED

JAN 16 2018

³ K.S.A. 77-516(c)(8); K.S.A. 77-520.

⁴ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

⁵ K.S.A. 66-118b; K.S.A. 77-529(a)(l).

CERTIFICATE OF SERVICE

JAN 16 2018

I certify that on _____, I caused a complete and accurate copy of this Order to be served electronically addressed to the following:

Ernie D. Pratt
PO Box 297
Paola, KS 66071
ernie@pdc-team.com

Jonathan R. Myers, Litigation Counsel
KCC Wichita Central Office

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office

/s/ DeeAnn Shupe
DeeAnn Shupe

EMAILED

JAN 16 2018