

**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 Application of Eastern) Docket No: 18-CONS-3112-CVAC
Kansas Operating, LLC, for authorization to)
impose a vacuum on its Someday Lease) CONSERVATION DIVISION
located in Section 12, Township 16 South,)
Range 24 East, Miami County, Kansas) License No. 34971

ORDER DISMISSING APPLICATION AND CLOSING DOCKET

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On August 21, 2017, Eastern Kansas Operating, LLC (Operator) filed an Application seeking authorization to install a vacuum on two wells on its Someday Lease.

2. On October 10, 2017, the Commission issued its *Order Designating Prehearing Officer and Setting Prehearing Conference*. The Prehearing Conference was twice continued, with the last continuance based on Conservation Staff's desire to allow the Operator to complete its Application.¹

3. On February 8, 2018, the Operator filed a Notice of Withdrawal of Application, indicating it was withdrawing its Application, without prejudice, and requesting the Commission dismiss and close this docket.² Conservation Staff has indicated it does not oppose the Operator's motion to withdraw its Application.

4. Based on the Operator's Notice of Withdrawal of its Application, its request for dismissal and closure of the docket, and Conservation Staff's non-opposition to the withdrawal,

¹ *Prehearing Officer Order Continuing Prehearing Conference*, ¶ 3 (Jan. 11, 2018).

² Notice of Withdrawal of Application, p. 1 (Feb. 8, 2018).

the Commission finds that the Operator's Application is withdrawn and dismissed, without prejudice, and the docket shall be closed.

THEREFORE, THE COMMISSION ORDERS:

A. The Operator's August 21, 2017, Application is withdrawn and dismissed, without prejudice, and the docket is closed.

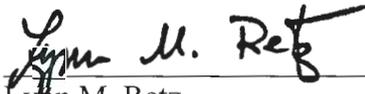
B. Parties have 15 days, plus three days if mailed service, from the date this Order was served in which to petition the Commission for reconsideration.³

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: Feb. 27, 2018



Lynn M. Retz
Secretary to the Commission

Mailed Date: Feb. 27, 2018

MJD

³ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 77-529(a)(1); see K.S.A. 66-118b.

CERTIFICATE OF SERVICE

18-CONS-3112-CVAC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of

Electronic Service on Feb. 27, 2018.

Matthew L. Faul
Eastern Kansas Operating, LLC
4600 Madison Ave, Suite 1100
Kansas City, MO 64112
mfaul@swansonmidgley.com

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
m.duenes@kcc.ks.gov

JAMES HEMMEN
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
j.hemmen@kcc.ks.gov

JONATHAN R. MYERS, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
j.myers@kcc.ks.gov

/s/ DeeAnn Shupe

DeeAnn Shupe