

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

In the matter of the failure of Apollo Energies,)	Docket No: 21-CONS-3269-CPEN
Inc. (Operator) to comply with K.A.R. 82-3-407)	
at the Wallace G P #1 and WH Horton #A 1 in)	
Harper and Kingman County, Kansas.)	CONSERVATION DIVISION
)	
_____)	License No: 30481

**PRE-FILED TESTIMONY OF JIM BYERS,
PRESIDENT OF APOLLO ENERGIES, INC.**

1. **Q. What is your name and business address**
2. A. Jim Byers, 10378 N 281 HWY, Pratt, Kansas 67124
3. **Q. Are you the president of Apollo Energies, Inc.?**
4. A. Yes
5. **Q. Does Apollo Energies, Inc operate a number of oil and gas wells in the State of Kansas and have you held an operator's license for a number of decades?**
6. A. Yes, Apollo Energies, Inc. is the owner/operator of number of wells in south central Kansas and has been an operator for more than three decades.
7. **Q. Are you testifying on behalf of Apollo Energies, Inc. in the above entitled matter regarding the penalty order issued by the Kansas Corporation Commission with respect to Apollo Energies, Inc. failure to comply with K.A.R. 3-407 with respect to the Wallace G P #1 and WH Horton #A 1 in Harper County and Kingman County, Kansas?**
8. A. Yes

9. **Q. Since the penalty order was issued by the Kansas Corporation Commission in the above entitled case, has Apollo Energies, Inc, attempted to complete Mechanical Integrity Tests on both the Wallace G P #1 Well and the WH Horton #A 1 Well?**

10. A. Yes, we completed the Mechanical Integrity Test with respect to both wells. The KCC Mechanical Integrity Test with respect to the Wallace G P #1 Well was completed on June 23, 2021. A true and correct copy of the KCC Mechanical Integrity Test signed off by BJ Hope on behalf of the Kansas Corporation Commission is attached hereto as Exhibit A.

11. **Q. Is there a reason why the Mechanical Integrity Test has not yet been completed on the WH Horton #A 1 Well?**

12. A. Yes, Apollo Energies, Inc. has attempted to contract with a number of well servicing companies over the last 3 months; however, all of the well servicing companies have been busy working for other companies, and other well servicing companies have agreed that as soon as a rig is available they will perform the work on behalf of Apollo Energies, Inc., with respect to the Mechanical Integrity Test on the WH Horton #A 1 Well.

13. **Q. What are you asking the Kansas Corporation Commission to do regarding the penalty orders assessed with respect to the Wallace G P #1 Well and the WH Horton #A 1 Well?**

14. A. I would request that the penalty regarding the Wallace G P #1 Well be either ____ or at a minimum reduced to the fact that the MIT tests have now been completed and the only reason the WH Horton A 1 Well have not been completed is because of the unavailability of rig to complete the MIT test.

The Kansas Corporation Commission also know that the both myself and my wife have suffered hospitalization due to COVID-19, and in addition thereto, my wife has had a

number of health issues which required my help in transporting her to and from hospitals, doctor appointments and taking care of her during these health issues.

15. **Q. Does this conclude your testimony?**

16. A. Yes

CERTIFICATE OF SERVICE

21-CONS-3269-CPEN

I, the undersigned, certify that a true copy of the attached Pre-Filed Testimony has been served to the following by means of first class mail and electronic service on August 16, 2021.

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By: /s/ Robert Eisenhower
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