

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

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

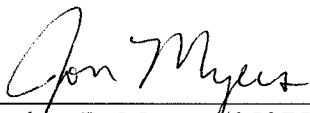
In the matter of the failure of Benjamin M.) Docket No.: 17-CONS-3100-CPEN
Giles ("Operator") to comply with K.A.R. 82-)
3-111 at the Clearwater #2 and Clearwater #5) CONSERVATION DIVISION
wells in Butler County, Kansas.)
_____) License No.: 5446

MOTION TO DELAY STAFF'S PRE-FILED TESTIMONY DEADLINE

Yesterday afternoon, Commission Staff and Operator agreed to a settlement of this matter that has been reduced to writing and signed by Operator. However, as acknowledged by Operator, a condition precedent to Staff signing the settlement is Operator submitting the \$200 owed pursuant to the Penalty Order in this docket.

Operator's counsel has represented that the payment will be made shortly, but Staff's deadline for submission of direct pre-filed testimony is today. Submission of the \$200 would render Staff's testimony unnecessary. Accordingly, Staff asks for its pre-filed direct testimony deadline to be delayed to January 25, 2017, to provide Operator an opportunity to make payment without obligating Staff to submit testimony. Staff has conferred with Operator's counsel, who is not opposed to the delay.

Respectfully submitted,



Jonathan R. Myers, #25975
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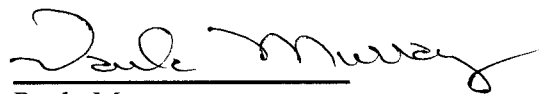
CERTIFICATE OF SERVICE

I certify that on 1/20/17, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jonathan A. Schlatter
Morris, Laing, et al.
300 N. Mead, Suite 200
Wichita, Kansas 67202
Attorney for Benjamin M. Giles

And delivered by email to:

Michael Duenes, Prehearing Officer



Paula Murray
Paula Murray
Legal Assistant
Kansas Corporation Commission