

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

In the matter of the failure of Little Chief) Docket No. 21-CONS-3200-CPEN
Energy Corporation (Operator) to comply with)
K.A.R. 82-3-120 and K.A.R. 82-3-133 by) CONSERVATION DIVISION
operating under a suspended license.)
_____) License No. 35588

PRE-FILED TESTIMONY

OF

TROY RUSSELL

ON BEHALF OF COMMISSION STAFF

SEPTEMBER 27, 2021

1 **Q. What is your name and business address?**

2 A. Troy Russell, 137 West 21st Street, Chanute, Kansas 66720.

3 **Q. By whom are you employed and in what capacity?**

4 A. I am employed by the Conservation Division of the Kansas Corporation Commission,
5 District #3 Office, as the District #3 Professional Geologist (P.G.) Supervisor.

6 **Q. Would you please briefly describe your background and work experience.**

7 A. I received my Bachelor of Science degree in Geology from Kansas State University in 1989.
8 I began work with the State of Kansas as a Geologist in 1991. I received my professional
9 geologist (P.G.) license in 1992. I came to work in the Chanute District #3 Office within the
10 Conservation Division of the KCC in 1997 as a P.G., primarily overseeing site remediation
11 of environmental impacts to soils and water resources resulting from oil & gas producing
12 activities. I became the District #3 Supervisor, P.G. in 2017.

13 **Q. Have you previously testified before this Commission?**

14 A. Yes.

15 **Q. What duties does your position with the Conservation Division involve?**

16 A. I oversee the daily operations in District #3 as related to oil and gas activities. I supervise
17 two Public Service Administrators, eleven Environmental Compliance and Regulatory
18 Specialists (ECRS), and the District Geologist, P.G..

19 **Q. What is the purpose of your testimony in this matter?**

20 A. The purpose of my testimony is to discuss the evidence supporting the Commission's findings
21 relating to the Penalty Order issued by the Commission against Little Chief Energy
22 Corporation (Operator) in this docket - Docket 21-CONS-3200-CPEN (Docket 21-3200).

1 Specifically, my testimony is to discuss a conversation I personally had with the Operator
2 regarding its operations under its suspended license.

3 **Q. Please provide a brief overview of the facts in this docket.**

4 A. Operator was penalized for violations of K.A.R. 82-3-120 and K.A.R. 82-3-133 by conducting
5 oil and gas operations while its license was suspended on multiple occasions and for two
6 separate dockets.

7 **Q. Did you have any conversations with Operator while its license was suspended?**

8 A. Yes. On January 20, 2021, I contacted Mr. Keaton Boles with Little Chief Energy
9 Corporation, to tell him that District #3 Staff had confirmed that Operator was still conducting
10 oil and gas operations. I informed him that the Notice of License Suspension from the Legal
11 Department had specifically stated that all oil & gas operations were to be shut-in within 10
12 days of the Notice of License Suspension dated January 5, 2021. Mr. Boles informed me that
13 he would begin contacting pumpers immediately to shut-in Operator's active leases and that
14 everything would be shut-in by the end of day Thursday, January 21, 2021. I informed him
15 that if this was accomplished we may avoid sealing Little Chief's leases on Friday, January
16 22, 2021.

17 **Q. Did you have any follow-up conversations with Operator after your January 20, 2021**
18 **call with Mr. Boles?**

19 A. No. However, Mr. Duane Sims, the District #3 UIC Coordinator, did visit with Operator
20 before and after my conversation with Mr. Boles. His conversations are referenced in his
21 testimony and also described as part of the 21-3200 Penalty Order in Exhibit B and Exhibit F.

1 **Q. Please summarize your recommendations.**

2 A. I believe the information gathered by District #2 and District #3 Staff is sufficient to affirm
3 the penalty assessed against Operator by the Commission. Operator was found operating on
4 multiple occasions after being suspended for non-compliance in two separate penalty dockets.
5 Further, Operator directly refused Commission Staff's directives to shut-in its leases even
6 though Operator knew its license was suspended.

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

8 A. Yes.

CERTIFICATE OF SERVICE

21-CONS-3200-CPEN

I, the undersigned, certify that a true and correct copy of the attached Prefiled Testimony of Troy Russell has been served to the following by means of electronic service on September 27, 2021.

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/s/ Paula J. Murray

Paula J. Murray