2017.02.03 11:20:48 Kansas Corporation Commission /S/ Amy L. Green

THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Pat Apple, Chairman Shari Feist Albrecht Jay Scott Emler

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In the matter of an Order to Show Cause issued to Summer Sun Gas L.L.C. ("Operator") regarding responsibility under K.S.A. 55-179 for plugging the Brown #2 well in Chautauqua County, Kansas. Docket No.: 16-CONS-4131-CSHO CONSERVATION DIVISION

CONSERVATION DIVISIO

License No.: 6880

MOTION TO CANCEL EVIDENTIARY HEARING AND CLOSE DOCKET

On June 24, 2016, Staff filed a motion requesting that an order to show cause be issued against Operator, based upon Commission records indicating that an unplugged well remained on Operator's expired license. The matter is currently scheduled for a February 20, 2017, evidentiary hearing.

On January 31, 2017, Staff received an acceptable Transfer of Operator ("T-1") Form

transferring the well at issue to an active license. As described in Staff's pre-filed testimony,

transfer of the well resolves the compliance issue that caused this case to be brought. Since the matter at issue has now been resolved, Staff asks that the evidentiary hearing be cancelled and that the docket be closed.

Respectfully submitted,

Jonathan R. Myers, #25975 Litigation Counsel, Kansas Corporation Commission 266 N. Main, Suite 220, Wichita, Kansas 67202 Phone: 316-337-6200; Fax: 316-337-6211

CERTIFICATE OF SERVICE

I certify that on 2/3/17, 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:

Jon R. Viets 201 N. Penn Avenue, Suite 604 P.O. Box 1176 Independence, Kansas 67301 Attorney for Summer Sun Gas & Gary D. Cude

John Brown 2074 Indian Road Sedan, Kansas 67361

Ronald R. Brown 409 S. Chautauqua Sedan, Kansas 67361

And delivered by email to:

John McCannon & Jonelle Rains KCC Wichita Office

Paula Murray

Legal Assistant Kansas Corporation Commission