

**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 Notice of Denial of ) Docket No.: 17-CONS-3236-CMSC  
License Renewal Application issued to )  
Eastern Kansas Operating, LLC. ) CONSERVATION DIVISION  
)  
) License No.: 34971

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**MOTION TO CANCEL EVIDENTIARY HEARING AND CLOSE DOCKET**

Commission Staff (Staff) of the State Corporation Commission of the State of Kansas (Commission) moves the Commission to cancel the June 15, 2017, evidentiary hearing in this matter and to close the docket.

**I. Background**

1. On September 30, 2016, Staff denied Eastern Kansas Operating, LLC's (Operator) September 22, 2016, license renewal application, based upon preliminary evidence suggesting that individuals associated with Operator were associated with three other licenses not in good standing with the Commission.<sup>1</sup> On October 12, 2016, Operator timely appealed. Pursuant to K.S.A. 77-511(d), Operator has continued operations during the pendency of this proceeding.

**II. Motion**

2. Staff's counsel has been in communication with Operator's counsel to resolve this matter. At this time, Staff does not believe there is adequate evidence to demonstrate a sufficient nexus between Operator and the three other licenses so as to continue denial of Operator's license pursuant to K.S.A. 55-155. Therefore, Staff requests the Commission issue an Order

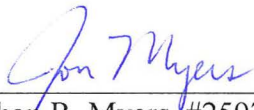
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<sup>1</sup> See Notice of Denial of License Renewal Application.

cancelling the evidentiary hearing and closing the docket. Upon issuance of such a Commission Order, Staff shall promptly process Operator's license renewal application administratively, pursuant to its standard practice.

WHEREFORE, for the reasons described above, Staff respectfully moves the Commission to cancel the evidentiary hearing in this matter and close the docket.

Respectfully submitted,



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Jonathan R. Myers, #25975  
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**CERTIFICATE OF SERVICE**

I certify that on 5/2/17, 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:

Matthew L. Faul  
Lathrop & Gage LLP  
2345 Grand Boulevard, Suite 2200  
Kansas City, Missouri 64108  
*Attorney for Eastern Kansas Operating, LLC*

And delivered by email to:

Michael Duenes, KCC Prehearing Officer



Paula Murray  
Legal Assistant  
Kansas Corporation Commission