

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Dwight D. Keen, Chair
Shari Feist Albrecht
Jay Scott Emler

In the matter of the failure of Prairie Gas) Docket No: 19-CONS-3265-CPEN
Operating, LLC ("Operator") to comply with)
K.A.R. 82-3-111 at the Beard #1 and) CONSERVATION DIVISION
Sinsabaugh #1 in Greeley and Hamilton)
County, Kansas.) License No: 35442

PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Prehearing Officer finds the following:

1. On February 12, 2019, the Commission issued a *Penalty Order* against Prairie Gas Operating, LLC (Operator) for two violations of K.A.R. 82-3-111 because the subject wells had been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for temporary abandonment status.¹ On February 25, 2019, Operator requested a hearing.²

2. On March 5, 2019, the Commission issued an *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a March 19, 2019, prehearing conference.³

3 At the March 19, 2019, prehearing conference, all parties agreed to the following procedural schedule:

Commission Staff Pre-Filed Direct Testimony	Due: April 22, 2019
Operator Pre-Filed Direct Testimony	Due: April 29, 2019
Discovery Cut-Off	Due: May 6, 2019
Rebuttal Testimony	Due: May 6, 2019
<u>Evidentiary Hearing before the Commission</u>	May 16, 2019, 10:00 a.m.
266 N. Main, Suite 220, Wichita, Kansas 67202	

¹ *Penalty Order*, ¶ 6, 10 (Feb. 12, 2019).

² Request for Hearing (Feb. 25, 2019).

³ *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B (Mar. 5, 2019).

4. Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

5. Any settlement agreement the parties wish to present for Commission consideration shall be due by May 6, 2019.

6. Any person requiring special accommodations under the Americans with Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

7. Any party who fails to attend or participate in the evidentiary hearing or any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.⁴

8. A corporation shall appear before the Commission by a Kansas licensed attorney.⁵

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The procedural schedule set forth in Paragraph 3 above is adopted.

B. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: March 19, 2019

/s/ Jonathan R. Myers
Jonathan R. Myers
Prehearing Officer

JRM

⁴ K.S.A. 77-518(c)(8); K.S.A. 77-520.

⁵ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

CERTIFICATE OF SERVICE

19-CONS-3265-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 03/19/2019.

SCOTT ALBERG, DISTRICT #1 SUPERVISOR
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Fax: 785-271-3354
s.alberg@kcc.ks.gov

MICHELE PENNINGTON
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Fax: 785-271-3354
m.pennington@kcc.ks.gov

IAN B. ACREY
Prairie Gas Operating, LLC
PO BOX 2170
TULSA, OK 74101
iacrey@pge-llc.com

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
j.myers@kcc.ks.gov

LAUREN WRIGHT, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
l.wright@kcc.ks.gov

LEE THOMPSON, ATTORNEY
THOMPSON LAW FIRM, LLC
D/B/A THOMPSON LAW FIRM, LLC
106 E 2nd Street N
WICHITA, KS 67202
Fax: 316-267-3901
lthompson@tslawfirm.com

/s/ DeeAnn Shupe
DeeAnn Shupe
