

**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 Seth Farmer ) Docket No: 17-CONS-3524-CPEN  
("Operator") to comply with K.A.R. 82-3-120. )  
 ) CONSERVATION DIVISION  
 )  
 ) License No: 34863

---

**ORDER RESCHEDULING EVIDENTIARY HEARING AND ADJUSTING  
TESTIMONY DEADLINES**

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 Commission makes the following findings and conclusions:

1. On June 29, 2017, the Commission adopted a procedural schedule in this docket, setting an evidentiary hearing for August 17, 2017.<sup>1</sup> The evidentiary hearing was subsequently rescheduled for September 21, 2017,<sup>2</sup> and then for October 19, 2017.<sup>3</sup>

2. On September 19, 2017, Commission Conservation Staff (Staff) requested that the evidentiary hearing date and testimony deadlines again be rescheduled, stating that "[t]he parties jointly request that the evidentiary hearing in this docket, currently scheduled for October 19, 2017, be rescheduled to December 14, 2017, and that the pre-filed testimony deadlines be adjusted accordingly."<sup>4</sup> The Motion asserted the possibility that the parties may resolve this matter without a hearing.<sup>5</sup>

---

<sup>1</sup> See *Order Setting Procedural Schedule*, Ordering Clause A (June 29, 2017).

<sup>2</sup> See *Order Rescheduling Evidentiary Hearing and Adjusting Testimony Deadlines*, Ordering Clause A (Aug. 1, 2017).

<sup>3</sup> See *Order Rescheduling Evidentiary Hearing and Adjusting Testimony Deadlines*, Ordering Clause A (Aug. 31, 2017).

<sup>4</sup> Motion to Reschedule Evidentiary Hearing and Adjust Testimony Deadlines, p. 1 (Sept. 19, 2017).

<sup>5</sup> *Id.*

3. The Commission agrees with Staff's Motion and amends the procedural schedule as follows:

Staff's Pre-filed Direct Testimony	Due: November 10, 2017
Operator's Pre-filed Direct Testimony	Due: November 17, 2017
Rebuttal Testimony	Due: December 4, 2017

Evidentiary Hearing before the Commission      December 14, 2017, 10:00 a.m.  
266 N. Main, Suite 220, Wichita, Kansas 67202

4. Any settlement agreement the parties wish to present for Commission consideration shall be due by December 4, 2017.

**THEREFORE, THE COMMISSION ORDERS:**

A. The modified procedural schedule set forth in paragraph 3 above is adopted. All other procedural matters remain as previously ordered.

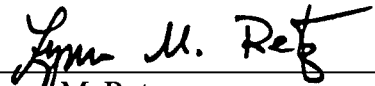
B. The parties have fifteen (15) days, plus three (3) days if mailed service, from the date this Order was served in which to petition for reconsideration.<sup>6</sup>

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

**BY THE COMMISSION IT IS SO ORDERED.**

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: SEP 26 2017

  
\_\_\_\_\_  
Lynn M. Retz  
Secretary to the Commission

Date Mailed: September 26, 2017

MJD

---

<sup>6</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 77-529(a)(1); *see* K.S.A. 66-118b.

**CERTIFICATE OF SERVICE**

I certify that on 9/26/17, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Seth Farmer  
4760 E. Hwy 160  
Independence, KS 67301

and delivered by e-mail to:

Joshua D. Wright, Litigation Counsel  
KCC Wichita Central Office

Michael J. Duenes, Assistant General Counsel  
KCC Topeka Office

/s/ Paula J. Murray  
Paula J. Murray  
Legal Assistant  
Kansas Corporation Commission