

**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 Application of Berexco) Docket No: 17-CONS-3532-CUNI
LLC for an Order Authorizing Unitization)
and Unit Operation of the Kane Unit in) CONSERVATION DIVISION
Kiowa County, Kansas.)
_____) License No: 34318

ORDER RESCHEDULING PREHEARING CONFERENCE

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 finds and concludes as follows:

1. On May 23, 2017, Berexco LLC (Applicant) filed an Application for an order authorizing the unitization and unit operation of the Kane Unit in Kiowa County, Kansas, pursuant to K.S.A. 55-1301, *et seq.*¹

2. On May 1, 2017, the Commission Conservation Division, Legal Section, received a letter from Linda Kraus (Protestant), requesting a hearing.²

3. On May 23, 2017, the Commission filed an Order Designating Prehearing Officer and Setting Prehearing Conference, setting the Prehearing Conference for July 17, 2017.³

4. At the July 17, 2017 Prehearing Conference, unattended by Applicant, the Prehearing Officer directed the parties to engage in conversation and recommend a date for another prehearing conference. The parties have agreed on a mutual date of Friday, August 25, 2017, and request the scheduling of a Prehearing Conference.

¹ Application, Apr. 6, 2017.

² Request for Hearing, May 1, 2017.

³ Order Designating Prehearing Officer and Setting Prehearing Conference, May 23, 2017.

5. Although a Prehearing Officer is designated in this docket, parties are still required to file pleadings with the Commission, and filings shall be made with the Commission's Docket Room before 5:00 p.m. on the date scheduled for service. Any electronic service received after the deadline set forth in the procedural schedule, or any filing made after 5:00 p.m. on the date scheduled for service, shall be accompanied by a Motion to File Out of Time.

THEREFORE, THE COMMISSION ORDERS:

A. The Motion to Schedule Prehearing Conference is granted, and a Prehearing Conference is scheduled for **Friday, August 25, 2017, at 8:30 a.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

B. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

C. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act (KAPA). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default under the KAPA.⁴

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

E. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number (316) 337-6245, j.myers@kcc.ks.gov.

⁴ K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

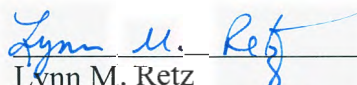
⁵ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

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

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: AUG 17 2017



Lynn M. Retz
Secretary to the Commission

SF/sc

CERTIFICATE OF SERVICE

I certify that on August 17, 2017, 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:

Thomas M. Rhoads (SC 10005)
Law Offices of Thomas M. Rhoads LC
200 E. 1st Street, Suite 301
Wichita, Kansas 67202-2114
Attorney for Applicant

Emma Richmond
Berexco LLC
2020 N. Bramblewood
Wichita, Kansas 67206-1094

Linda Kraus
1312 Iroquois Road
Wichita, Kansas 67203

And delivered electronically to:

Jonathan Myers
Litigation Counsel

Sam Feather
Deputy General Counsel

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission