

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

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

In the Matter the Failure of Prairie Gas) Docket No: 18-CONS-3327-CPEN
Operating, LLC (Operator) to comply with)
K.A.R. 82-3-603 at the Kuttler G-1 well in) CONSERVATION DIVISION
Greeley County, Kansas.)
_____) License No: 35442

PREHEARING OFFICER ORDER CLOSING DOCKET

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 April 12, 2018, the Commission issued a Penalty Order to Prairie Gas Operating, LLC (Operator) for one violation of K.A.R. 82-3-603(e)(1) because Operator did not timely remediate a spill(s) at the Kuttler G-1, API #15-071-20753, in Greeley County, Kansas and ordered a \$1,000 penalty be paid by Operator.¹

2. On May 4, 2018, the Operator, through counsel, requested a hearing on the Penalty Order to “address the issue of whether or not compliance with regulations by the Operator was timely and whether the penalty assessed is appropriate under the law and the facts.”²

3. On May 24, 2018, the Commission designated a Prehearing Officer to address matters pursuant to K.S.A. 77-516-517 and scheduled the matter for a prehearing conference on June 19, 2018.³

¹ Penalty Order at 4 (Apr. 12, 2018).

² Prairie Gas Operating, LLC’s Written Request for Hearing at 2 (May 4, 2018).

³ Order Designating Prehearing Officer and Setting Prehearing Conference at 1-2 (May 24, 2018).

4. On June 12, 2018, the Operator filed a Notice of Withdrawal of Request for Hearing stating that the Operator had paid the fine and completed the necessary compliance issues.⁴

5. On June 19, 2018, the Prehearing Officer convened the Prehearing Conference. The Operator did not attend. However, Commission Staff confirmed that the Operator had paid the fines, adequately addressed the compliance issues and that this Docket can be closed.

6. Noting that the Operator has, on its own volition, withdrawn the request for hearing and complied with the Penalty Order, there is no need for further Commission action. Pursuant to the Prehearing Officer's delegation under K.S.A. 77-551(c) to handle procedural matters, the Prehearing Officer finds that this docket should be closed.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. Docket No. 18-CONS-3327-CPEN shall be closed.

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

Dated: June 20, 2018

DLK/sc

//s Dustin L. Kirk

Dustin L. Kirk
Prehearing Officer

⁴ Prairie Gas Operating, LLC's Notice of Withdrawal of Request for Hearing at 1 (June 12, 2018).

CERTIFICATE OF SERVICE

18-CONS-3327-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 06/20/2018.

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/S/ DeeAnn Shupe

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