

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Petition of Somerset)
Energy, Inc., to Open a Docket Pursuant to) Docket No. 25-CONS-3195-CMSC
K.S.A. 55-605(a))

**REPLY TO STAFF'S RESPONSE TO PETITION
OPENING DOCKET PURSUANT TO K.S.A. 55-605(a)**

Somerset Energy, Inc. ("Somerset"), by and through its attorney, Keith A. Brock, in reply to Staff's response to the Petition Opening Docket Pursuant to K.S.A. 55-605(a), states:

1. Staff moves for an order closing this Docket because Staff had already filed a motion pertaining to the Nevius #OW-6 which was assigned Docket 25-CONS-3193-CUIC.

2. Although much of the petition filed by Somerset in this Docket pertained to Staff's actions concerning the Nevius #OW-6 well, Somerset also asserted the following:

14. KCC Staff's practice of forcing operators to accept wells which they are not legally responsible for under K.S.A. 55-179 by threatening to revoke injection permits and impose enormous fines has become a widespread practice throughout the industry. This practice is unlawful and completely disregards and actually frustrates the Commission's statutory directives. Thus, Somerset will also introduce evidence in this Docket which will show that the actions being taken by KCC Staff with regard to the Nevius #OW-6 well are representative of a wide spread practice by KCC Staff against a multitude of operators across eastern Kansas to force operators to accept legal responsibility for wells which the Kansas Legislature has mandated they are not responsible for.

15. Ironically, the Commission was the sponsor of the 2021 amendment to K.S.A. 55-179. However, KCC Staff has ignored the provisions of such statute by attempting to impose legal responsibility upon operators at Staff's own discretion and without regard to the statutory criteria set forth in K.S.A. 55-179 as amended. The KCC Staff's actions taken against Somerset with respect to the Nevius #OW-6 well is consistent with KCC Staff's actions taken against other similarly situated operators with respect to wells they are not legally responsible for under K.S.A. 55-179 and evidence will be introduced in this Docket to demonstrate the existence of this widespread practice as well.

3. The motion Staff filed in Docket 25-CONS-3193-CUIC does not address the above referenced issues; therefore, it is necessary to keep this Docket open. The Eastern Kansas Oil and Gas Association ("EKOGA") voted at their board meeting last evening to participate in this Docket in an official capacity as well and will formally move to intervene after the first of the year. This Docket serves as a better forum for addressing the above referenced wide spread practices than the more narrow docket which has been assigned Docket 25-CONS-3193-CUIC.

4. For the reasons stated above, the Commission should simply consolidate this Docket with Docket 25-CONS-3193-CUIC as it relates to the Nevius #OW-6 issues or place both Dockets on an identical procedural schedule and leave both Dockets open.

WHEREFORE, Somerset respectfully requests the Commission open a docket pursuant to K.S.A. 55-605(a) and deny Staff's Motion to close this Docket.



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STATE OF KANSAS, COUNTY OF FRANKLIN, ss:

Keith A. Brock, of lawful age, being first duly sworn on oath, states: That he is the attorney for Somerset Energy, Inc. and is duly authorized to make this affidavit; that he has read the foregoing Reply to Staff's Response to Petition Opening Docket Pursuant to K.S.A. 55-605(a), knows the contents thereof; and that the facts set forth therein are true and correct to the best of his knowledge, information and belief.



Keith A. Brock

SUBSCRIBED AND SWORN to before me this 20th day of December, 2024.



Notary Public

Appointment/Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail, this 20th day of December, 2024, addressed to:

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