

**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-3637-CEXC
LLC for a second exception to the 10-year)
time limitation of K.A.R. 82-3-111 for its) CONSERVATION DIVISION
Garden City A #4-29 well located in the SW)
NW NW of Sec 29, T22S, R33W, Finney) License No: 34318
County, Kansas.

**ORDER DESIGNATING PREHEARING OFFICER AND
SETTING 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 April 28, 2017, Berexco LLC (Operator) filed an Application for an “additional exception to the 10-year limitation, specifically to allow the subject well to remain eligible for temporary abandonment status for the three (3) years following the April 29, 2017 expiration of the first exception to the 10-year limitation, subject to yearly renewal with the appropriate Conservation Division District, but without further need to re-apply for a new exception each of the three (3) years prayed for in this application.”¹

2. On May 22, 2017, Commission Conservation Division, Legal Section, received a letter of protest from Jonathan Wilfong, Bayshore Energy Kansas, LLC.²

3. Pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and a Prehearing Conference should be scheduled.

¹ Application, Apr. 28, 2017, ¶ 10.

² Letter of Protest, May 22, 2017.

4. 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 Prehearing Officer in this proceeding shall be Samuel Feather, Deputy General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604-4027, telephone number (785) 271-3240, email address s.feather@kcc.ks.gov. The Commission may designate other Staff members to serve in this capacity.

B. A Prehearing Conference is scheduled for **Monday, July 17, 2017 at 11:30 a.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

C. 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.

D. 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.³

E. A corporation shall appear before the Commission by a Kansas licensed attorney.⁴

³ K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

⁴ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

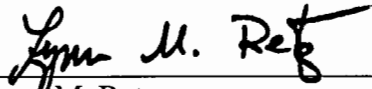
F. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number (316) 337-6245, j.myers@kcc.ks.gov.

G. 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: JUN 06 2017



Lynn M. Retz
Secretary to the Commission

SF/sc

CERTIFICATE OF SERVICE

I certify that on June 6, 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:

Emma Richmond/Brett Blazer
2020 N. Bramblewood
Wichita, KS 67206

Jonathan Wilfong
Bayshore Energy KS LLC
15603 Kuykendahl, Suite 200
Houston, TX 77090-3655

And delivered electronically to:

Jonathan Myers
Litigation Counsel

Samuel Feather
Deputy General Counsel

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