

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

In the Matter of the Application of Merit)	Docket No.: 20-CONS-3148-CUNI
Energy Company, LLC for an Order)	
Authorizing the Unitization and Unit)	CONSERVATION DIVISION
Operation of the River Bend Chester Unit to be)	
<u>located in Finney County, Kansas.</u>)	License No.: 32446

RESPONSE TO MOTION FOR SUMMARY PROCEEDINGS

Comes now the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) in response to the Motion for Summary Proceedings filed by Merit Energy Company, LLC (Operator). In support of Staff's response, Staff states the following:

1. On November 14, 2019, Operator filed their application requesting an order authorizing the unitization and unit operation of the River Bend Chester Unit in Finney County, Kansas, pursuant to K.S.A. 55-1301, et seq.¹

2. Notice was properly served and met the requirements of K.S.A. 55-1310, K.S.A. 55-605, and K.A.R. 82-3-135a. No protests or objections have been submitted to the Commission in this matter.

3. On December 5, 2019, an Order Designating Prehearing Officer and Setting Prehearing Conference was issued scheduling the prehearing conference for Wednesday, December 18, 2019 at 4:00 p.m.²

4. On December 17, 2019, Operator filed a Motion for Summary Proceedings (Motion) for the Commission to consider as an alternative to holding a formal evidentiary hearing provided by the Kansas Administrative Procedure Act (KAPA).³

¹ Application for Merit Energy Company (Nov. 14, 2019).

² Order Designating Prehearing Officer and Setting Prehearing Conference (Dec. 5, 2019).

³ Motion for Summary Proceedings (Dec. 17, 2019).

5. Staff has had the opportunity to completely review the Operator's Application in this matter. Staff is satisfied that the grant of such Application complies with the applicable statutory and regulatory requirements.

6. As such Staff has no objection to the Motion because it appears the KAPA notice and hearing requirements mandated by K.S.A. 55-1304 are met, and Operator's application qualifies for summary proceedings under K.S.A. 77-537.

In Conclusion, for the reasons described above, Staff recommends approval of the Operator's Application for the Unitization of the River Bend Chester Unit in order to prevent waste and protect correlative rights.

Respectfully submitted,

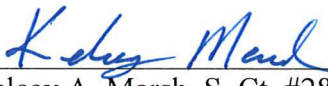


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VERIFICATION


STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Kelcey A. Marsh, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.



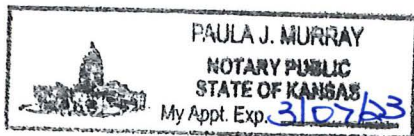
Kelcey A. Marsh, S. Ct. #28300
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 10 day of Jan, 2020.



Notary Public

My Appointment Expires: 3/07/23



CERTIFICATE OF SERVICE

20-CONS-3148-CUNI

I, the undersigned, certify that a true copy of the attached Response to Motion for Summary Proceedings has been served to the following by means of electronic service on January 10, 2019.

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/S/ Paula J. Murray

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