

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of TDR Construction,)	Docket No. 19-CONS-3167-CUIC
Inc. to Authorize Injection of Saltwater into the)	
Squirrel Formation at the McCoy #4WA, #8W and)	License No. 32218
#9W Wells, Located in Section 32, Township 15)	
South, Range 21 East, Franklin County, Kansas.)	Conservation Division

RESPONSE TO MOTION TO EXTEND THE DUE DATE
FOR THE PROTESTANTS PRE-FILED TESTIMONY

TDR Construction Inc. ("TDR"), by and through its attorney Keith A. Brock, Anderson & Byrd, LLP, responds as follows to the Motion to Extend the Due Date for the Protestants Pre-Filed Testimony filed herein by Polly Shteamer (the "Motion to Extend").

1. Protestant Polly Shteamer pre-filed her direct testimony herein on March 12, 2019, thereby rendering the Motion to Extend moot. Because the Motion to Extend has been rendered moot, said Motion to Extend must be denied.

2. Both TDR and Commission staff timely responded to the data requests submitted in this Docket within the time prescribed by the Protective and Discovery Order issued herein, therefore no reason or justification exists to extend the due date for Protesters to prefile direct testimony in this Docket.

3. The Order Setting Procedural Schedule and Designating New Prehearing Officer filed in this Docket clearly set the deadlines for filing prefiled testimony in this Docket and there is no justification for deviation from such schedule. The extension of time to prefile testimony requested in the Motion to Extend would not allow sufficient time for the preparation and filing of rebuttal testimony and therefore such extension of time would be unjust and would unfairly prejudice TDR and all other parties in this Docket.

WHEREFORE, TDR respectfully requests that the Motion to Extend be denied and for such other and further relief as the Commission deems just and equitable under the circumstances.



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail, this 15th day of March, 2019, addressed to:

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