

**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 Failure of River Rock) Docket No. 17-CONS-3489-CPEN
Operating, LLC ("Operator") to comply with)
K.A.R. 82-3-407 at the W Hahn #1-1 in Labette) CONSERVATION DIVISION
County, Kansas.)
_____) License No. 35341

PREHEARING OFFICER ORDER CONTINUING PREHEARING CONFERENCE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On February 21, 2017, the State Corporation Commission of the State of Kansas (Commission) issued a Penalty Order against River Rock Operating, LLC (Operator).
2. On February 21, 2017, counsel on behalf of the Operator filed an Entry of Appearance and a Request for Hearing.
3. On March 28, 2017, the Commission issued an Order Designating a Prehearing Officer and Setting a Prehearing Conference. The Commission set a prehearing conference for April 18, 2017 at 9:00 a.m.¹
4. At the Prehearing Conference, the Parties agreed to continue the Prehearing Conference in this matter in the hopes of achieving an amicable resolution.
5. Kansas law favors compromising and settling disputes.² Therefore for good cause shown, the Prehearing Conference shall be rescheduled to **Tuesday, June 20, 2017, at 9:00 a.m.**

¹ Order Designating Prehearing Officer and Setting Prehearing Conference, Mar. 28, 2017.

² *Bright v. LSI Corp.*, 254 Kan. 853, 858 (1994).

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The Prehearing Conference shall be continued until **Tuesday, June 20, 2017, at 9:00 a.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN #7632914771.

B. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, and scheduling of a hearing with the Commission.

C. 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), K.S.A. 77-501 *et seq.* Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to KAPA.

D. A corporation shall appear before the Commission by a Kansas licensed attorney.³

Dated: April 26, 2017

/s/ Dustin L. Kirk
Dustin L. Kirk, Deputy General Counsel
Prehearing Officer

DLK/sc

³ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

CERTIFICATE OF SERVICE

I certify that on 4/26/17, 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:

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KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission