

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

In the Matter of the Application of Merit)	Docket No.: 20-CONS-3062-CUNI
Energy Company, LLC, for an Order)	
Authorizing the Unitization and Unit)	CONSERVATION DIVISION
Operation of the West Eubank North Unit to)	
<u>be located in Haskell 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 as follows:

1. On August 26, 2019, Operator filed their Application requesting an order authorizing the unitization and unit operation of the West Eubank North Unit in Haskell 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 October 1, 2019, an Order Designating Prehearing Officer and Setting Prehearing Conference was issued scheduling the prehearing conference for Monday, October 14, 2019 at 10:00 a.m.²

4. On October 4, 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 of Merit Energy Company (Aug. 26, 2019).

² Order Designating Prehearing Officer and Setting Prehearing Conference (Oct. 1, 2019).

³ Motion for Summary Proceedings (Oct. 4, 2019).

5. At this time, Staff is not opposed to the Motion for Summary Proceedings pending further review of Operator's Application by technical staff.

WHEREFORE, for the reasons described above, Staff does not oppose Operator's Motion provided that Staff will not make a formal recommendation for Commission approval of the Application until it is satisfied that the grant of such Application complies with the applicable statutory and regulatory requirements.

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.



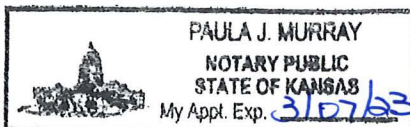
Kelcey A. Marsh, S. Ct. #28300
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 14 day of Oct, 2019.



Notary Public

My Appointment Expires: 3/07/23



CERTIFICATE OF SERVICE

20-CONS-3062-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 October 14, 2019.

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/S/ Paula J. Murray

Paula J. Murray