

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

Before Commissioners: Susan K. Duffy, Chair  
Shari Feist Albrecht  
Dwight D. Keen

In the matter of the failure of Bengalia Land ) Docket No: 20-CONS-3130-CPEN  
and Cattle Company (“Operator”) to comply )  
with K.A.R. 82-3-111 at the K and G #1-27, ) CONSERVATION DIVISION  
Mott Trust #1-26, De Chant #2, Maxine #1-30, )  
Nichols #2-32 and Wedel Trust 33 #3-33 in ) License No: 33989  
Finney County and Gray County, Kansas. )

**PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE**

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 November 5, 2019, the Commission issued a *Penalty Order* against Bengalia Land and Cattle Company (Operator) for six violations of K.A.R. 82-3-111 because six wells had been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for temporary abandonment status.<sup>1</sup> On December 3, 2019, Operator requested a hearing.<sup>2</sup>

2. At a January 30, 2020, status conference, counsel for all parties consented to the electronic service of all documents<sup>3</sup> and orders.<sup>4</sup> Therefore, the Prehearing Officer directs that service of all documents and orders upon counsel may be made by email. To the extent practicable, any electronically served document or order shall be attached to the email and served in pdf format. Service of orders is complete upon transmission.<sup>5</sup> Parties are encouraged to make sure large pdf files do not result in delivery failure and to work together to resolve any email-based service issues.

<sup>1</sup> See *Penalty Order*, ¶¶ 6, 11 (Nov. 5, 2019).

<sup>2</sup> See Request for Hearing (Dec. 3, 2019).

<sup>3</sup> See K.S.A. 77-519; *Amended Order Authorizing Use of Electronic Service*, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

<sup>4</sup> See K.S.A. 77-531.

<sup>5</sup> See K.S.A. 77-531(b).

3. As of this date, these are the email addresses for the parties and prehearing officer:

a. Operator: Jonathan A. Schlatter, jschlatter@morrislaing.com;

b. Commission Staff:

i. Michael Glamann, m.glamann@kcc.ks.gov; and

ii. Kelcey Marsh, k.marsh@kcc.ks.gov; and

c. Prehearing Officer: Jonathan R. Myers, j.myers@kcc.ks.gov.<sup>6</sup>

4. The Commission shall continue to serve Operator itself copies of all orders via mail.

5. The Prehearing Officer notes that filing of documents with the Commission must still be done either through the Commission's "e-filing express" system, or by mail or hand delivery to the Commission.<sup>7</sup> The Prehearing Officer orders that if a document is filed by mail or hand delivery, only the original copy must be supplied.<sup>8</sup> The Commission, however, strongly encourages parties to file through the "e-filing express" system.<sup>9</sup>

**BY THE PREHEARING OFFICER IT IS SO ORDERED.**

Dated: February 10, 2020

/s/ Jonathan R. Myers

Jonathan R. Myers  
Prehearing Officer

JRM

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<sup>6</sup> See *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause A (Dec. 12, 2020).

<sup>7</sup> See *Amended Order Authorizing Use of Electronic Filing*, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

<sup>8</sup> See *id.*, ¶ 3.

<sup>9</sup> *Id.*, ¶ 4.

**CERTIFICATE OF SERVICE**

20-CONS-3130-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 02/10/2020.

CALVIN R. HULLUM JR  
BENGALIA LAND AND CATTLE COMPANY  
PO BOX 521008  
TULSA, OK 74152-1008

MICHAEL GLAMANN, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
CENTRAL OFFICE  
266 N. MAIN ST, STE 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
m.glamann@kcc.ks.gov

FRED MACLAREN  
KANSAS CORPORATION COMMISSION  
DISTRICT OFFICE NO. 1  
210 E. FRONTVIEW SUITE A  
DODGE CITY, KS 67801  
Fax: 785-271-3354  
e.maclaren@kcc.ks.gov

KELCEY MARSH, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
CENTRAL OFFICE  
266 N. MAIN ST, STE 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
k.marsh@kcc.ks.gov

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
Fax: 316-337-6211  
j.myers@kcc.ks.gov

MICHELE PENNINGTON  
KANSAS CORPORATION COMMISSION  
DISTRICT OFFICE NO. 1  
210 E. FRONTVIEW SUITE A  
DODGE CITY, KS 67801  
Fax: 785-271-3354  
m.pennington@kcc.ks.gov

JONATHAN A. SCHLATTER, ATTORNEY  
MORRIS LAING EVANS BROCK & KENNEDY CHTD  
300 N MEAD STE 200  
WICHITA, KS 67202-2745  
Fax: 316-262-6226  
jschlatter@morrislaing.com

/s/ DeeAnn Shupe  
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DeeAnn Shupe