

**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 Peak Energy,) Docket No: 17-CONS-3434-CPEN
LLC ("Operator") to comply with K.A.R. 82-)
3-111 at the L V Scott #1, Klink #1 and) CONSERVATION DIVISION
Klink #3 wells in Cowley County, Kansas.)
_____) License No.: 32776

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 23, 2017, the Commission issued in this docket its *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a Prehearing Conference in this matter for March 9, 2017.¹

2. On March 9, 2017, at the Prehearing Conference, the parties moved to continue the Prehearing Conference to the first week of April. The Prehearing Officer granted the motion and agrees to continue the Prehearing Conference until **Thursday, April 6, 2017, at 2:45 p.m.**

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The Prehearing Conference shall be rescheduled for **Thursday, April 6, 2017, at 2:45 p.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN: 7632914771#.

¹ Docket No. 17-CONS-3434-CPEN, *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B, ¶ 3 (Feb. 23, 2017) (stating that "[u]pon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and a Prehearing Conference should be scheduled").

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).² 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 the KAPA.³

D. A corporation shall appear before the Commission by a Kansas licensed attorney.⁴

E. Parties have 15 days from the date of electronic service of this Order to petition for reconsideration.⁵

F. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

Dated: March 20, 2017

/s/ Michael J. Duenes

Michael J. Duenes
Prehearing Officer

MJD/sc

² K.S.A. 77-501 *et seq.*

³ K.S.A. 77-516(c)(8); K.S.A. 77-520.

⁴ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

⁵ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

I certify that on March 20, 2017, I caused a complete and accurate copy of this Prehearing Officer Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jon R. Viets
PO Box 1176
Independence, KS 67301
Attorney for Peak Energy, LLC

Henry Boots
Peak Energy, LLC
2649 CR 2300
Independence, KS 67301

and delivered by e-mail to:

Dan Fox
KCC District #2

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission