

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

In the matter of the failure of Ace Energy,)	Docket No. 23-CONS-3195-CPEN
LLC (Operator) to comply with K.A.R.)	
82-3-407 at the Grundy B #5 SWD well in)	CONSERVATION DIVISION
Greenwood County, Kansas.)	
_____)	License No. 34998

In the matter of the failure of Ace Energy,)	Docket No. 23-CONS-3268-CPEN
LLC (Operator) to comply with K.A.R.)	
82-3-407 at the Grundy B #5 SWD well in)	CONSERVATION DIVISION
Greenwood County, Kansas.)	
_____)	License No. 34998

**JOINT MOTION TO ADMIT PRE-FILED TESTIMONY
AND WAIVE EVIDENTIARY HEARING**

Ace Energy, LLC (“Operator”), and Commission Staff submit this Joint Motion to Admit Pre-filed Testimony and Waive Evidentiary Hearing in the captioned matter. In support of their joint motion, the parties state and allege as follows:

1. The Pre-Filed Direct Testimony of Duane Sims was submitted by Staff on October 27, 2023. The Pre-Filed Testimony of Jonathan Freiden was submitted by Operator on December 1, 2023. The Pre-Filed Rebuttal Testimony of Duane Sims was submitted by Staff on December 22, 2023.
2. The parties have stipulated to the admission of the aforementioned pre-filed testimony.
3. The parties have further agreed to waive cross-examination and to forego incurring the time and expense of an evidentiary hearing, and allow the Commission to make its ruling on the Penalty Orders at issue on the evidentiary record as contemplated hereby.
4. For the foregoing reasons, the parties jointly move the Commission for an order (1) admitting the pre-filed testimony into the evidentiary record, and (2) if such pre-filed testimony is

admitted, to rule on the Penalty Orders at issue on the record before it, without incurring the time and expense of an evidentiary hearing. The parties contend that this motion should be granted in the interest of judicial efficiency.

For the foregoing reasons, the parties respectfully request that the Commission grant this motion, and provide such further relief as the Commission deems just and necessary.

PREPARED AND SUBMITTED BY:

MORRIS, LAING, EVANS, BROCK
& KENNEDY, CHARTERED

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CERTIFICATE OF SERVICE

I, Jackson C. Ely, hereby certify that on this 5th day of April, 2024, I caused the original of the foregoing **JOINT MOTION TO ADMIT PRE-FILED TESTIMONY AND FOR ISSUANCE OF FINAL ORDER** to be electronically filed with the Conservation Division of the State Corporation Commission of the State of Kansas, and served to the following by means of electronic service:

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