

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

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| In the matter of resolving various regulatory violations associated with Ace Energy, LLC, (Operator). |) | Docket No.: 23-CONS-3017-CPEN |
| |) | 23-CONS-3029-CPEN |
| |) | 23-CONS-3087-CPEN |
| |) | 23-CONS-3135-CPEN |
| |) | |
| |) | CONSERVATION DIVISION |
| |) | |
| |) | License No. 34998 |
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| In the matter of the application of Ace Energy, LLC, (Operator) for an Operator's License Renewal. |) | Docket No. 23-CONS-3143-CMSC |
| |) | CONSERVATION DIVISION |
| |) | |
| |) | License No. 34998 |

OPERATOR'S PROPOSED PROCEDURAL SCHEDULE

Comes now, Ace Energy, LLC, as Operator, and hereby submits its Proposed Procedural Schedule pursuant to the Presiding Officer Order Directing Submission of Proposed Procedural Scheduled filed February 14, 2023, to wit:

Operator proposes the following procedural schedule herein:

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| Commission Staff Pre-Filed Direct Testimony: | Due April 7, 2023 |
| Operator Pre-filed Direct & Rebuttal Testimony: | Due May 31, 2023 |
| Commission Staff Pre-Filed Rebuttal Testimony: | Due June 20, 2023 |
| Evidentiary Hearing before the Commission: | To be Determined |

1) On or about December 20, 2022, the presiding officer issued a discovery order in Docket No. 23-CONS-3143-CMSC. It does not appear that Staff has submitted its discovery order response to Operator in Docket No. 23-CONS-3143-CMSC. Staff needs to respond to the discovery order issued by the presiding officer. Operator should have 45 days for information requests and to review, respond, investigation, and conduct further discovery, if needed. The

procedural schedule proposed by Operator provides sufficient time for KCC staff to respond to the December 20, 2022, discovery order issued in Docket No. 23-CONS-3143-CMSC with a 45-day time for information requests by Operator.

2) Operator also requests a discovery order from the presiding officer in Docket No. 23-CONS-3135-CPEN along with a 45-day time period for information requests and to review, investigation, and conduct further discovery, if necessary.

3) New lead counsel for Operator is in the process of filing an Entry of Appearance in these Consolidated Dockets due to recent COVID-19 illness and ongoing related medical issues involving attorney, David Bideau, of which the presiding officer and counsel for KCC is aware.

4) New lead counsel for Operator previously filed an Entry of Appearance in Consolidated Dockets 22-CONS-3124-CPEN. The presiding officer and counsel for KCC were previously made aware of the need for Operator to retain new lead counsel in Consolidated Dockets 22-CONS-3124-CPEN due to recent COVID-19 related medical issues involving attorney Bideau.

5) Operator further states that Docket No. 23-CONS-3143-CMSC was just recently consolidated with 23-CONS-3017-CPEN; 23-CONS-3029-CPEN; 23-CONS-3087-CPEN and 23-CONS-3135-CPEN on or about February 14, 2023, over the objection of Operator.

6) KCC staff argument that a short procedural schedule is needed because these cases have been pending for months is misplaced. These dockets were all filed at different times. A request for hearing was timely filed on behalf of Operator followed by conferences with the presiding officer who requested consolidation of the pending matters to a common docket. The last order for consolidation issued by the presiding officer was entered on or about February 14, 2023, over the objection of Operator.

7) Operator and its new lead counsel are in the process of preparing for an evidentiary hearing before the Kansas Corporation Commission in Consolidated Dockets 22-CONS-3124-CPEN scheduled for March 10, 2023.

8) New lead counsel for Operator needs sufficient time to get up to speed on the issues involved in these Consolidated Dockets with time allowance consideration given for the work schedule of new counsel. New counsel for Operator needs adequate time to become acquainted with the nature of these matters and to reasonably prepare for an evidentiary hearing.

9) Operator states that these consolidated dockets involve numerous issues for review, investigation, hearing and/or possible resolution compounded, in part, by the recent February 14, 2023, order adding 23-CONS-3143-CMSC to these Consolidated Dockets over the objection of Operator.

10) Operator is entitled to assistance of legal counsel to protect Operator's interested in these matters and Operator's right to defend itself without undue burden or prejudice. The Commission prohibits Operator from representing itself in these consolidated matters because it is a legally organized business entity.

11) Staff will not be unduly prejudiced by adoption of Operator's proposed procedural schedule.

12) Operator's proposed procedural schedule is reasonable and should be adopted for the reasons set forth herein.

Respectfully submitted,

BIDEAU LAW OFFICES, LLC

/s/ David J. Bideau

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2023, I caused the original of the foregoing **Operator's Proposed Procedural Schedule** to be electronically filed with the Conservation Division of the State Corporation Commission of the State of Kansas, and provided electronic copies of the same to be emailed to the following parties:

Electronic filing to: Kansas Corporation Commission
Conservation Division
266 North Main, Suite 220
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