

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the Failure of Berexco LLC) Docket No: 19-CONS-3117-CPEN
("Operator") to comply with K.A.R. 82-3-)
602 at the Petrcek #6 well in Decatur) CONSERVATION DIVISION
County, Kansas.)
_____) License No: 34318

ORDER CLOSING DOCKET

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds the following:

1. On September 25, 2018, the Commission issued a *Penalty Order* finding that Berexco LLC (Operator) committed one violation of K.A.R. 82-3-602 because the Operator did not submit a complete and accurate CDP-4 in a timely manner for the pit associated with the subject well.¹
2. On October 25, 2018, the Operator requested a hearing.²
3. On November 15, 2018, the Commission issued an *Order Designating Prehearing Officer and Setting Prehearing Conference*.³
4. On December 4, 2018, the Operator filed a letter informing the Commission Conservation Staff (Staff) that it requested withdrawal of the appeal because the \$100 penalty assessed for failure to close the surface pit had been paid and the CDP-4 form was properly filed.⁴

¹ *Penalty Order*, ¶ 12 (Sep. 25, 2018).

² Letter Requesting Hearing (Oct. 25, 2018).

³ *Order Designating Prehearing Officer and Setting Prehearing Conference* (Nov. 15, 2018).

⁴ Letter Withdrawing Request for Hearing (Dec. 4, 2018).

5. In light of the Operator's withdrawal of its request for hearing, its payment of the assessed penalty, and its filing of the required CDP-4 form, the Commission finds further proceedings are unnecessary, and this docket should be closed.

THEREFORE, THE COMMISSION ORDERS:

- A. The docket is closed.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁵
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 12/11/2018



Lynn M. Retz
Secretary to the Commission

Date Mailed: 12/12/2018

MJD/sc

⁵ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

19-CONS-3117-CPEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of
first class mail and electronic service on 12/11/2018.

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/S/ DeeAnn Shupe

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