

**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 Gateway) Docket No: 19-CONS-3101-CPEN
Resources U.S.A., Inc. (Operator) to Comply)
with K.A.R. 82-3-111 at the White #G-3,) CONSERVATION DIVISION
White #G-5 and Knisley Carol R #1-33 in)
Montgomery County, Kansas.) License No: 32353

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 September 18, 2018, the Commission issued a *Penalty Order* against Gateway Resources U.S.A., Inc. (Operator), concluding the Operator committed three violations of K.A.R. 82-3-111 because the subject wells have been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for temporary abandonment (TA) status.¹
2. On October 18, 2018, the Operator filed a letter requesting a hearing.²
3. On October 25, 2018, the Commission scheduled a Prehearing Conference for November 8, 2018.³ However, it appears the Operator was not served with notice of the Prehearing Conference.
4. On November 8, 2018, the Prehearing Officer convened a Prehearing Conference, but found that notice of the Conference was not proper. The Operator did not appear.

¹ *Penalty Order*, ¶ 10.

² Request for Hearing (Oct. 18, 2018).

³ *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B (Oct. 25, 2018).

5. Via email, the Operator and Commission Conservation Staff (Staff) communicated to the Prehearing Officer their desire to continue the Prehearing Conference to December 6, 2018.

6. Based on the above, the Prehearing Officer finds that the Prehearing Conference shall be continued to December 6, 2018, at 9:15 a.m.

THEREFORE, THE PREHEARING OFFICER ORDERS:

A. The Prehearing Conference is continued to **Thursday, December 6, 2018, at 9:15 a.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN: 7632914771#.

B. 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 Kansas Administrative Procedure Act.⁴

C. 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

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

Dated: November 8, 2018

/s/ Michael J. Duenes

Michael J. Duenes
Prehearing Officer

MJD

⁴ K.S.A. 77-516(c)(8); K.S.A. 77-520.

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-3101-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 11/08/2018.

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/s/ DeeAnn Shupe
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