

**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 Application of)	Docket No: 19-CONS-3184-CUIC
Abercrombie Energy, LLC to authorize)	
injection of saltwater into the Mississippi)	CONSERVATION DIVISION
formation at the Brown #1-26 well, located)	
in Section 26, Township 33 South, Range 31)	License No. 32457
<u>West, Seward County, Kansas.</u>)	

ORDER SETTING PROCEDURAL SCHEDULE

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 October 22, 2018, Abercrombie Energy, LLC (Operator) filed an Application to authorize injection of saltwater into the Mississippi formation at the Brown #1-26 well, located in Seward County, Kansas.¹
2. On November 20, 2018, L.H. and Thais Brown filed a letter of protest and request for hearing, through their counsel, Will Wohlford.²
3. On December 4, 2018, the Commission issued an *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a Prehearing Conference for January 10, 2019.³

¹ Application (Oct. 22, 2018).

² Letter of Protest and Request for Hearing, L.H. and Thais Brown (Nov. 20, 2018).

³ *Order Designating Prehearing Officer and Setting Prehearing Conference* (Dec. 4, 2018).

4. A Prehearing Conference was held on January 10, 2019, at which the following procedural schedule was proposed:

Operator Pre-filed Direct Testimony	Due: March 25, 2019
Protestant Pre-Filed Direct Testimony	Due: April 8, 2019
Staff Pre-Filed Direct Testimony	Due: April 22, 2019
Rebuttal Testimony	Due: May 6, 2019
<u>Evidentiary Hearing before the Commission</u>	May 16, 2019, 10:00 a.m.
266 Main, Suite 220, Wichita, Kansas 67202	

5. Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

6. Any settlement agreement the parties wish to present for Commission consideration shall be due by April 22, 2019.

7. Any person requiring special accommodations under the Americans with Disabilities Act (ADA) should notify the Commission at least 10 days before the scheduled hearing date.

8. Any party who fails to attend or participate in the evidentiary hearing or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.⁴

9. A corporation shall appear before the Commission by a Kansas licensed attorney.⁵

THEREFORE, THE COMMISSION ORDERS:

A. The procedural schedule set forth in paragraph 4 above is adopted.

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).⁶

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

⁴ K.S.A. 77-518(c)(8); K.S.A. 77-520.

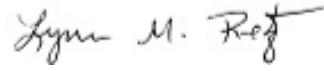
⁵ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

⁶ 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).

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 01/15/2019



Lynn M. Retz
Secretary to the Commission

Date Mailed: 01/16/2019

MJD/sc

CERTIFICATE OF SERVICE

19-CONS-3184-CUIC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 01/15/2019.

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