

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the matter of the failure of Patrick)	Docket No. 15-CONS-197-CPEN
Development Corporation (“Operator”) to)	
comply with K.A.R. 82-3-400 at the Hegwald)	CONSERVATION DIVISION
#d-1 (WSW), Hendricks #PDC 11, Hendricks)	
#PDC 10 and Henrichs #PDC 9 wells in)	License No. 6279
<u>Woodson and Allen Counties, Kansas.</u>)	

**PRE-FILED TESTIMONY
OF CHERI BOYER**

1 Q. What is your name and business address?
2 A. Cheri Boyer, 266 North Main Suite 220, Wichita, Kansas 67202.
3 Q. By whom are you employed and in what capacity?
4 A. I'm employed by the Conservation Division of the Kansas Corporation Commission as a
5 Research Analyst within the Underground Injection Control ("UIC") Department.
6 Q. How long have you been employed by the KCC?
7 A. Over 4 years.
8 Q. Have you previously testified before this Commission?
9 A. No.
10 Q. What does your position with the Conservation Division involve?
11 A. I do many things. I review and process Transfer of Operator ("T-1") Forms as they
12 pertain to injection wells. I conduct special projects to ensure the accuracy of our
13 electronic databases. I conduct periodic reviews of our paper files. I research wells for
14 verification of injection authority. I assist with open records requests. I am responsible
15 for splitting permits if more than one party becomes responsible for the wells. I am also
16 trained to enter permits into our electronic database when they are issued, if the primary
17 Staff member is not available. Basically, I assist the geologists in our department and try
18 to keep things running as smoothly as possible.
19 Q. Are you familiar with this KCC Docket, 15-CONS-197-CPEN?
20 A. Yes. Although a different Staff member made the penalty recommendations in this
21 docket, I have reviewed the penalty order, the relevant injection permits, and the relevant
22 Annual Injection ("U3C") Forms.
23 Q. What is your recommendation to the Commission regarding the penalty order in this
24 docket?
25 A. There are five wells that Operator was penalized for, the Hegwald #d-1 (WSW),
26 Hendricks #PDC 5, and Henrichs #PDC 9, Henrichs #PDC 10, and Hendricks #PDC 11.
27 The "Hendricks" wells and the "Henrichs" wells are on the same lease.
28 I recommend that the Commission rescind the penalty as it concerns the four
29 Hendricks/Henrichs wells, but affirm it as it concerns the one Hegwald well.
30 Q. Why do you recommend that the Commission rescind the penalty as it concerns the four
31 Hendricks/Henrichs wells?

1 A. Although Staff's penalty recommendation reported that each of the four Hendricks/
2 Henrichs wells are only allowed to inject 25 barrels of fluid per day, a review of the
3 permit indicates that except for the Hendricks #PDC 5, the Hendricks/Henrichs wells are
4 allowed 40 barrels of fluid per day. None of the U3C Forms submitted by Operator
5 reported the maximum allowed injection pressure or rate (Exhibit A), but upon review of
6 the file, the allowed rate is 40 barrels of fluid per day.

7 There appears to have been a discrepancy between the actual paper file that Staff
8 keeps, which is the more official file and says 40 barrels of fluid per day, and what was
9 entered into our electronic database, which was 25 barrels of fluid per day. The penalty
10 recommendations were based upon what was in our electronic database, which is usually
11 accurate, but was not accurate here. Based upon a review of the actual paper file, I
12 recommend that the penalty for these four wells should be rescinded.

13 According to my file review, the Hendricks #PDC 5 is not authorized for injection at
14 all, but I understand that matter may wind up being litigated. Since this penalty was just
15 based upon Operator's U3C Forms, I suggest that the penalty against the Hendricks
16 #PDC 5 in this docket should be rescinded, just like with the other Hendricks/Henrichs
17 wells.

18 Q. Why do you recommend that the Commission affirm the penalty as it concerns the one
19 Hegwald well?

20 A. As stated in Staff's recommendation, Operator's injection permit for the Hegwald well
21 only allows for injection to occur at gravity (Exhibit B). The permit was originally in
22 Layton Oil's name, but the permit has been transferred to Operator. For 2013, Operator
23 reported injecting at 150 pounds per square inch (Exhibit C), in violation of the permit.

24 Q. When Staff receives a completed U3C Form from an operator, does Staff do anything to
25 ensure the accuracy of what the operator reports?

26 A. We take the operator at its word. Under K.A.R. 82-3-409, each operator is required to
27 keep current, accurate records of the fluid injected into each well for at least five years,
28 which each operator is required to report on the U3C Form. Since the Commission does
29 not require operators to meter or gauge water that is being injected, there is really no way
30 for Staff to know whether an operator is being truthful. If the operator has filed a false

1 U3C Form, presumably they have violated K.A.R. 82-3-409 because they have not kept
2 current, accurate records. We rely on operators to file truthful information.

3 Q. Does this conclude your testimony as of this date, December 1, 2014?

4 A. Yes.

**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
ANNUAL REPORT OF PRESSURE MONITORING,
FLUID INJECTION AND ENHANCED RECOVERY**

Form UOC
August 2013
Form must be Typed
Form must be completed
on a per well basis

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # #6279
Patrick Development Corporation
 Name: 3408 W. 93rd Street
 Address 1: Leawood KS 66206
 Address 2: Kerry Patrick
 City: 913 State: 383-2814 Zip: 66206
 Contact Person: Henrich
 Phone: PDC #5
 Lease Name: W 1/2, NW 1/4, 23-26S-18E
 Well Number: Allen

Permit Number: (B) (D) - 24224
 API No.: 15- 001-26,656
 Reporting Period: 2013
 January 1, 20 13 to December 31, 20 13
 Sec. 23 Twp. 26 S. R. 18 ☒ E ☐ W
 615 feet from ☐ N / ☒ S Line of Section
 615 feet from ☒ E / ☐ W Line of Section
 Legal Description of Lease or Unit:
W 1/2, NW 1/4, 23-26S-18E
 County: Allen

If new operator, list previous operator: _____

I. Injection Fluid:

Type: ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☐ Water/Brine
 Source: ☐ Produced Water ☐ Other (Attach List)
 Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____
 (Attach water analysis, if available)

KCC WICHITA

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II. Well Data:

Type Completion: ☐ Tubing & packer, packer setting depth: _____ feet; ☐ Packerless (tubing, but no packer); ☐ Tubingless
 Maximum Authorized Injection Pressure: _____ psi Injection Zone: _____
 Maximum Authorized Injection Rate: _____ barrels per day
 Total Number of Enhanced Recovery Injection Wells Covered by This Permit: _____ (Include TAs)

III.	Total Volume Injected		# Days of Injection	Maximum Injection Pressure	Average Pressure Tubing/Casing Annulus
Month	BSL	MCF			
January	580		15	300	
February	580		20	300	
March	880		25	300	
April	880		30	300	
May	880		30	300	
June	880		30	300	
July	880		30	300	
August	880		30	300	
September	880		25	300	
October	880		25	300	
November	880		25	300	
December	580		20	300	
TOTAL	9660				

Print and Mail to: KCC - Conservation Division, 130 S. Market - Room 2076, Wichita, Kansas 67202

2

**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION**

**ANNUAL REPORT OF PRESSURE MONITORING,
FLUID INJECTION AND ENHANCED RECOVERY**

Form UCC
August 2013
Form must be typed
Form must be completed
on a per well basis

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # <u>#6279</u> <u>Patrick Development Corporation</u> Name: _____ Address 1: <u>3408 W. 93rd Street</u> Address 2: _____ City: <u>Leawood</u> State: <u>KS</u> Zip: <u>66206</u> Contact Person: <u>Kerry Patrick</u> Phone: (<u>913</u>) <u>383-2814</u> Lease Name: <u>Henrich</u> Well Number: <u>PDC #9</u>	Permit Number: (B) (D) - <u>24224</u> API No.: <u>15-001-26,863</u> Reporting Period: <u>2013</u> January 1, 20 <u>13</u> to December 31, 20 <u>13</u> _____ Sec. 23 Twp. 26 S. R. 18 <input checked="" type="checkbox"/> E <input type="checkbox"/> W <small>(or area)</small> <u>4060</u> feet from <input type="checkbox"/> N / <input checked="" type="checkbox"/> S Line of Section <u>4900</u> feet from <input checked="" type="checkbox"/> E / <input type="checkbox"/> W Line of Section Legal Description of Lease or Unit: _____ <u>W 1/2, NW 1/4, 23-26S-18E</u> County: <u>Allen</u>
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If now operator, list previous operator: _____

I. Injection Fluid:

Type: ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☐ Water/Brine

Source: ☐ Produced Water ☐ Other (Attach List)

Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____

(Attach water analysis, if available)

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II. Well Data:

Type Completion: ☐ Tubing & packer, packer setting depth: _____ feet; ☐ Packerless (tubing, but no packer); ☐ Tubingless

Maximum Authorized Injection Pressure: _____ psi Injection Zone: _____

Maximum Authorized Injection Rate: _____ barrels per day

Total Number of Enhanced Recovery Injection Wells Covered by This Permit: _____ (Include DA's)

Month	Total Volume Injected		# Days of Injection	Maximum Injection Pressure	Average Pressure Tubing/Casing Annulus
	BSL	MCF			
January	580		15	300	
February	580		20	300	
March	880		25	300	
April	880		30	300	
May	880		30	300	
June	880		30	300	
July	880		30	300	
August	880		30	300	
September	880		25	300	
October	880		25	300	
November	880		25	300	
December	580		20	300	
TOTAL	9660				

Print and Mail to: KCC - Conservation Division, 138 S. Market - Room 2078, Wichita, Kansas 67202

**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
ANNUAL REPORT OF PRESSURE MONITORING,
FLUID INJECTION AND ENHANCED RECOVERY**

Form USC
August 2013
Form must be Typed
Form must be completed
on a per well basis

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # <u>#6279</u> <u>Patrick Development Corporation</u> Name: _____ Address 1: <u>3408 W. 93rd Street</u> Address 2: _____ City: <u>Leawood</u> State: <u>KS</u> Zip: <u>66206</u> Contact Person: <u>Kerry Patrick</u> Phone: (<u>913</u>) <u>383-2814</u> Lease Name: <u>Henrich</u> Well Number: <u>PDC #10</u>	Permit Number: (E) (D) - <u>24224</u> API No.: <u>15- 001-26,864</u> Reporting Period: <u>2013</u> January 1, 20 <u>13</u> to December 31, 20 <u>13</u> Sec. <u>23</u> Twp. <u>26</u> S. R. <u>18</u> <input checked="" type="checkbox"/> E <input type="checkbox"/> W 4460 feet from <input type="checkbox"/> N / <input checked="" type="checkbox"/> S Line of Section 4900 feet from <input checked="" type="checkbox"/> E / <input type="checkbox"/> W Line of Section Legal Description of Lease or Unit: <u>W 1/2 NW 1/4, 23-26S-18E</u> County: <u>Allen</u>
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If new operator, list previous operator: _____

I. Injection Fluid:

Type: ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☐ Water/Brine

Source: ☐ Produced Water ☐ Other (Attach List)

Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____

(Attach water analysis, if available)

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II. Well Data:

Type Completion: ☐ Tubing & packer, packer setting depth: _____ feet; ☐ Packerless (tubing, but no packer); ☐ Tubingless

Maximum Authorized Injection Pressure: _____ psi Injection Zone: _____

Maximum Authorized Injection Rate: _____ barrels per day

Total Number of Enhanced Recovery Injection Wells Covered by This Permit: _____ (Include TRs)

III.	Total Volume Injected		# Days of Injection	Minimum Injection Pressure	Average Pressure Tubing/Casing Annulus
Month	BBL	MCF			
January	580		15	300	
February	580		20	300	
March	880		25	300	
April	880		30	300	
May	880		30	300	
June	880		30	300	
July	880		30	300	
August	880		30	300	
September	880		25	300	
October	880		25	300	
November	880		25	300	
December	580		20	300	
TOTAL	9660				

Print and Mail to: KCC - Conservation Division, 130 S. Market - Room 2078, Wichita, Kansas 67202

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OIL & GAS CONSERVATION DIVISION
ANNUAL REPORT OF PRESSURE MONITORING,
FLUID INJECTION AND ENHANCED RECOVERY**

Form UIC
August 2013
Form must be Typed
Form must be completed
on a per well basis

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # <u>6279</u> <u>Patrick Development Corporation</u> Name: _____ <u>3408 W. 93rd Street</u> Address 1: _____ <u>Leawood KS 66206</u> City: _____ State: <u>KS</u> Zip: _____ Contact Person: <u>Kerry Patrick</u> Phone: (<u>913</u>) <u>383-2814</u> Lease Name: <u>Henrich</u> Well Number: <u>PDC #11</u>	Permit Number: (B) (D) - <u>24224</u> API No.: <u>15-001-26,865</u> Reporting Period: <u>2013</u> <u>January 1, 20</u> <u>13</u> <u>to December 31, 20</u> <u>13</u> <u>Sec. 23</u> <u>Top. 26</u> <u>S. R. 18</u> <input checked="" type="checkbox"/> E <input type="checkbox"/> W <u>4860</u> feet from <input type="checkbox"/> N / <input checked="" type="checkbox"/> S Line of Section <u>4900</u> feet from <input checked="" type="checkbox"/> E / <input type="checkbox"/> W Line of Section Legal Description of Lease or Unit: _____ <u>W 1/2, NW 1/4, 23-26S-18E</u> County: <u>Allen</u>
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If new operator, list previous operator: _____

I. Injection Fluid:

Type: ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☐ Water/Brine
Source: ☐ Produced Water ☐ Other (Attach List)
Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____
(Attach water analysis, if available)

KCC WICHITA

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II. Well Data:

Type Completion: ☐ Tubing & packer, packer setting depth: _____ feet; ☐ Packerless (tubing, but no packer); ☐ Tubingless
Maximum Authorized Injection Pressure: _____ psi Injection Zone: _____
Maximum Authorized Injection Rate: _____ barrels per day
Total Number of Enhanced Recovery Injection Wells Covered by This Permit: _____ (Include TR's)

III. Month	Total Volume Injected		# Days of Injection	Maximum Injection Pressure	Average Pressure Tubing/Casing Annulus
	BBL	MCF			
January	580		15	300	
February	580		20	300	
March	880		25	300	
April	880		30	300	
May	880		30	300	
June	880		30	300	
July	880		30	300	
August	880		30	300	
September	880		25	300	
October	880		25	300	
November	880		25	300	
December	580		20	300	
TOTAL	9660				

Print and Mail to: KCC - Conservation Division, 130 S. Market - Room 2076, Wichita, Kansas 67202

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: G. T. Van Bebber, Chairman
 Vernon A. Stroberg
 R. C. Loux

In the matter of the application of)	DOCKET NO. 105,725-C
LAYTON OIL COMPANY for an order per-	(C-17,992)
mitting the disposal of salt water into)	
their Well No. WSW described in para-	
graph "C" which is on their HEGWALD)	
LEASE, covering Lots 1, 2 & 6 and East)	
10 acres of Lot 3 in Section 30, Town-	
ship 26 South, Range 17 East)	CONSERVATION DIVISION
in the)	PERMITTING:
PERRY-HALLIGAN FIELD)	
in)	
WOODSON COUNTY, KANSAS)	DISPOSAL OF SALT WATER

O R D E R

Now on this 19th day of September, 1975, the above-entitled matter comes before the Commission for further consideration and disposition. The Commission, having examined the application and recommendations thereon, and being advised of field conditions, finds:

THE COMMISSION FINDS: (A) That the production map shows the proposed well to be located in the Perry-Halligan Field;

(B) That salt water is desired to be introduced into the Mississippi & Arbuckle formations, which contain water as defined in Rule 82-2-400 "B", with open hole from a depth of approximately 1233 feet to a bottom depth of approximately 2064 feet;

(C) That disposal is desired to be made into Well No. WSW, located 2040 feet from the West line and 80 feet from the North line of the NW/4 of Section 30, Township 26 South, Range 17 East, Woodson County, Kansas;

(D) That salt water is desired to be introduced into a salt water formation not known to be productive or expected to produce in this field;

(E) That a complete log of the disposal well has been filed with the application;

(F) That complete casing information as required under Rule 82-2-401 is as follows:

<u>SIZE</u>	<u>LENGTH</u>	<u>SEAT DEPTH</u>	<u>CONDITION</u>	<u>CEMENTED OR MUDDIED</u>	<u>EST. FT. ENCASED IN CEMENT</u>	<u>SACKS CEMENT USED</u>
10"	12'	12'	B	Cemented	12'	5
7"	1233'	1233'	B	Cemented	1233'	520

(G) That salt water desired to be introduced will be produced from the following described wells and leases:

<u>LEASE OWNER</u>	<u>LEASE NAME</u>	<u>LEASE DESCRIPTION</u>	<u>WELL NOS.</u>
Layton Oil Company	Hegwald	Lots 1, 2 & 6 and East 10 acres of Lot 3 in Sec. 30-26S-17E	1
Layton Oil Company	Hempen	E/2 S/2 SW/4 Sec. 19-26S-17E	1

Continued ---

LAYTON OIL COMPANY (C-17,992)

DISPOSAL OF SALT WATER

LEASE OWNER	LEASE NAME	LEASE DESCRIPTION	WELL NOS.
Layton Oil Company	Johnson	NE/4 Sec. 31-26S-17E	1
Layton Oil Company	Bodley	All of Sec. 17-26S-17E	1
Layton Oil Company	Earl Gray	E/2 SE/4 Sec. 18; E/2 Sec. 19; Lot 5, being part of NE/4 Sec.30; Lot 10, being part of NW/4 Sec.29 all in 26S-17E	1

and from any well or wells on or that may be drilled on the above-described leases, estimated at 100 barrels per day minimum to 300 barrels per day maximum, to be introduced at gravity pressure at the well head;

(H) That there are no other operators of drilling or producing wells within one-half mile of the proposed disposal well;

IT IS, THEREFORE, BY THE COMMISSION ORDERED: That Layton Oil Company be, and it is hereby permitted to dispose of salt water produced from the wells on the leases described in paragraph (G) into the Mississippi & Arbuckle formations into Well No. WSW, described in paragraph (C), with open hole from a depth of approximately 1233 feet to a bottom depth of approximately 2064 feet, which said formations contain water as defined in Rule 82-2-400 "B"; said water estimated at 100 barrels per day minimum to 300 barrels per day maximum, to be introduced at gravity pressure at the well head; as provided for in the Rules and Regulations of the Commission.

IT IS FURTHER BY THE COMMISSION ORDERED: That if the recipient of the disposal authority herein assigns, sells or transfers his interest in the lease or leases described in this order, the disposal authority herein shall become null and void as of the date of assignment, sale or transfer.

THE COMMISSION HEREBY RETAINS JURISDICTION OF THE SUBJECT MATTER hereof and the parties hereto for the purpose of issuing from time to time such further orders, amendments, rules and regulations as may be necessary in connection with the above-entitled matter if not specifically provided for in the Rules and Regulations of the Commission applying to the Disposal of Salt Water.

BY THE COMMISSION IT IS SO ORDERED:

Van Bebber, Chmn.; Stroberg, Com. and Loux, Com.

THELMA M. KNUTSON, SECRETARY

DATE MAILED - - - 9-22-75

APPROVAL RECOMMENDED:

J. Lewis Brock
J. LEWIS BROCK, ADMINISTRATOR

ATTEST:
A TRUE COPY

Thelma M. Knutson
SECRETARY, STATE CORPORATION
COMMISSION, STATE OF KANSAS

**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
ANNUAL REPORT OF PRESSURE MONITORING,
FLUID INJECTION AND ENHANCED RECOVERY**

Form KCC
August 2013
Form must be Typed
Form must be completed
on a per well basis

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # #6279
Name: Patrick Development Corporation
Address 1: 3408 W. 93rd Street
Address 2: _____
City: Leawood State: KS Zip: 66206
Contact Person: Kerry Patrick
Phone: (913) 383-2814
Lesse Name: Hegwald
Well Number: SWD #1

Permit Number: (E) (D) - 8950 D17992
API No.: 15-207-02,483-0001
Reporting Period: 2013
January 1, 20 13 to December 31, 20 13
Sec. 30 Twp. 26 S. R. 17 ☒ E ☐ W
5200 feet from ☐ N / ☒ S Line of Section
3240 feet from ☒ E / ☐ W Line of Section
Legal Description of Lease or Unit:
Lot 10, 30-26-17E
County: Woodson

If new operator, list previous operator: _____

I. Injection Fluid:

Type: ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☐ Water/Brine

Source: ☐ Produced Water ☐ Other (Attach List)

Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____

(Attach water analysis, if available)

KCC WICHITA

APR 08 2014

RECEIVED

II. Well Data:

Type Completion: ☐ Tubing & packer, packer setting depth: _____ feet; ☐ Packerless (tubing, but no packer); ☒ Tubingless

Maximum Authorized Injection Pressure: _____ psi Injection Zone: _____

Maximum Authorized Injection Rate: _____ barrels per day

Total Number of Enhanced Recovery Injection Wells Covered by This Permit: _____ (Include ZPs)

III.	Total Volume Injected		# Days of Injection	Maximum Injection Pressure	Average Pressure Tubing/Casing Annulus
Month	BBL	MCF			
January	320		15	150	
February	320		15	150	
March	0		0	0	
April	0		0	0	
May	0		0	0	
June	0		0	0	
July	920		30	150	
August	920		30	150	
September	420		15	150	
October	320		10	150	
November	320		10	150	
December	120		5	150	
TOTAL	3660				

Print and Mail to: KCC - Conservation Division, 130 S. Market - Room 207B, Wichita, Kansas 67202

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

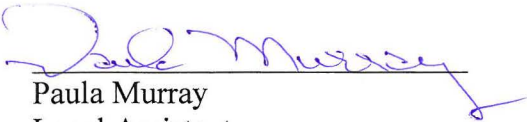
Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the matter of the failure of Patrick)	Docket No. 15-CONS-197-CPEN
Development Corporation ("Operator") to)	
comply with K.A.R. 82-3-400 at the Hegwald)	CONSERVATION DIVISION
#d-1 (WSW), Hendricks #PDC 11, Hendricks)	
#PDC 10 and Henrichs #PDC 9 wells in)	License No. 6279
<u>Woodson and Allen Counties, Kansas.</u>)	

CERTIFICATE OF SERVICE

I, Paula Murray, certify that on December 1, 2014, I did cause a true and correct copy of the Pre-Filed Testimony of Cheri Boyer to be served by United States mail, first class, postage prepaid to the following:

Jeff Kennedy
Martin, Pringle et al.
100 N. Broadway, Suite 500
Wichita, Kansas 67202
Attorney for Patrick Development Corporation


Paula Murray
Legal Assistant
Kansas Corporation Commission