

**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 Steve A. Becker) Docket No.: 15-CONS-371-CPEN
dba A & A Well Service (“Operator”) to)
comply with K.A.R. 82-3-107 and K.A.R. 82-) CONSERVATION DIVISION
3-130 at the D J Daniels #1-14, Nelson #2-14,)
Nelson #3-14, Williams #1-14 and Williams) License No.: 31813
#2-14 in Allen County, Kansas.)

STAFF’S RESPONSE IN OPPOSITION TO MOTION TO VACATE DEFAULT ORDER

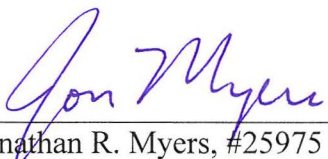
Operator’s motion to vacate the Commission’s January 13, 2015, default order against him should be denied. The Commission’s December 11, 2014, Order Setting Prehearing Conference was quite clear that failure to attend the prehearing conference would result in default, and Operator failed to attend.

It is undisputed that Operator failed to timely submit five Well Completion Reports, which per our regulations were due between late August and early September. It is undisputed that as a courtesy, Staff sent notice of violation letters giving Operator additional time to comply, and that the letters said “If an ACO-1 is returned to you as incomplete, you do not have additional time – the deadline above governs.”¹ And it is undisputed that when Operator submitted the ACO-1’s, they were promptly returned as incomplete, and that Operator did not submit acceptable ACO-1’s until after the deadline, or in fact until the day the penalty order was issued.

¹ See Exhibit A.

Now, Operator states that it was necessary for him to work the day of the prehearing conference. But Operator did not even notify Staff of his inability or unwillingness to attend the prehearing conference until hours after it had taken place. Operator has had enough chances. The motion to vacate should be denied.

Respectfully submitted,



Jonathan R. Myers, #25975
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Suite 220
Wichita, Kansas 67202
Phone: 316-337-6200
Fax: 316-337-6106

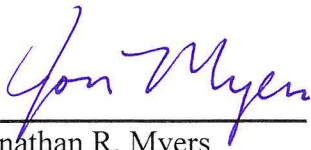
CERTIFICATE OF SERVICE

I certify that on 1/26/15, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Steve A. Becker
A & A Well Service
4500 Connecticut Road
Elsmore, Kansas 66732

And delivered by hand to:

Rene Stucky & Lane Palmateer
Conservation Division Central Office



Jonathan R. Myers
Litigation Counsel
Kansas Corporation Commission

Conservation Division
266 N. Main St., Ste. 220
Wichita, KS 67202-1513



Phone: 316-337-6200
Fax: 316-337-6211
<http://kcc.ks.gov/>

Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

October 3, 2014

License No. 31813

Steve A Becker
Becker, Steve A.
A & A Well Service
4500 CONNECTICUT RD
ELSMORE, KS 66732

NOTICE OF VIOLATION

MISSING WELL COMPLETION REPORT ("ACO-1")

Re: API #15001310040000
D J Daniels 1-14
NENWNWSE, 16-26S-21E
ALLEN County, Kansas

Operator:

Commission records indicate that the referenced well was spudded more than 120 days ago.

K.A.R. 82-3-107 and K.A.R. 82-3-130 require operators to file an ACO-1 within 120 days of the spud date of each well. For the referenced well, we have not received the necessary ACO-1.

**Failure to submit a complete, accurate ACO-1 for the referenced well
by October 24, 2014
shall be punishable by a \$500 per-well administrative penalty.**

The information requested above must be submitted on KOLAR. If an ACO-1 is returned to you as incomplete, you do not have additional time – the deadline above governs.

Please contact me at (316) 337-6200 if you have any questions.

Sincerely,

NAOMI JAMES
Production Department

October 3, 2014

License No. 31813

Steve A Becker
Becker, Steve A.
A & A Well Service
4500 CONNECTICUT RD
ELSMORE, KS 66732

NOTICE OF VIOLATION

MISSING WELL COMPLETION REPORT ("ACO-1")

Re: API #15001309970000
Nelson 2-14
N2SWSESW, 21-26S-21E
ALLEN County, Kansas

Operator:

Commission records indicate that the referenced well was spudded more than 120 days ago.

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Becker, Steve A.
A & A Well Service
4500 CONNECTICUT RD
ELSMORE, KS 66732

NOTICE OF VIOLATION

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Re: API #15001309960000
Nelson 3-14
SEWNENW, 28-26S-21E
ALLEN County, Kansas

Operator:

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A & A Well Service
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ELSMORE, KS 66732

NOTICE OF VIOLATION

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Re: API #15001310050000
Williams 1-14
SWNWSWNE, 21-26S-21E
ALLEN County, Kansas

Operator:

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