

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

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

In the matter of the application of Daniel ) Docket No.: 16-CONS-3984-CWLE  
Rice for a well location exception for their )  
domestic gas well located at 21320 Kill ) CONSERVATION DIVISION  
Creek, Spring Hill, Johnson County, )  
Kansas. ) License No.: 35301

**ORDER VACATING ORDER GRANTING APPLICATION, DESIGNATING  
PREHEARING OFFICER, AND SETTING PREHEARING CONFERENCE**

1. On May 3, 2016, the Commission issued its Order Granting Application in this docket. On June 14, 2016, Staff moved the Commission to vacate its Order, designate a prehearing officer, and set a prehearing conference, due to the filing of several protests after additional notice was provided. No responses to the motion were filed.

2. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and that a prehearing conference should be scheduled.

**THEREFORE, THE COMMISSION ORDERS:**

A. The Prehearing Officer in this proceeding shall be Lane R. Palmateer, Counsel, Kansas Corporation Commission, 266 N. Main, Ste. 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address [l.palmateer@kcc.ks.gov](mailto:l.palmateer@kcc.ks.gov).

B. A Prehearing Conference is scheduled for Tuesday, July 26, 2016. The Prehearing Conference shall begin at 11:00 a.m. and end by 11:30 a.m., at the Commission's offices, 266 N. Main St., Ste. 220, Wichita, Kansas 67202. Telephonic attendance may be permitted upon

advance request. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be held in default under the KAPA.

E. Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it shall be held in default under the KAPA.

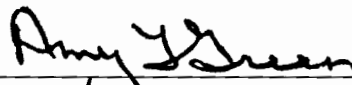
F. The attorney designated to appear on behalf of the agency in this proceeding is John McCannon, Litigation Counsel, telephone number 316-337-6200, [j.mccannon@kcc.ks.gov](mailto:j.mccannon@kcc.ks.gov).

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

**BY THE COMMISSION IT IS SO ORDERED.**

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: JUL 12 2016

  
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Amy L. Green  
Secretary to the Commission

Mailed Date: July 12, 2016

LRP

**CERTIFICATE OF SERVICE**

I certify that on 7/12/16, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Keith A. Brock  
Anderson & Byrd, LLP  
PO Box 17  
Ottawa, KS 66067  
*Attorney for Daniel Rice*

Daniel Rice  
21320 S. Kill Creek  
Spring Hill, KS 66083

Lesli Town Baker  
120 Shoreline Drive  
Louisburg, KS 66053

Gary N. Johnson and Francy Johnson  
8921 Rene Street  
Lenexa, KS 66215

Michael and Sherry Yetter  
31245 W. 213<sup>th</sup> Street  
Spring Hill, KS 66083

Edna Yetter  
31150 W. 215<sup>th</sup> Street  
Spring Hill, KS 66083

and delivered by e-mail to:

Mitchell and Melody Johnson  
Cbmjohnson14@yahoo.com

Rick Hesterman  
KCC Central Office

/s/ Paula J. Murray  
Paula J. Murray  
Legal Assistant  
Kansas Corporation Commission