THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Andrew J. French, Chairperson Dwight D. Keen Annie Kuether

In the matter of the application of Quito, LLC) (Applicant) for an operator's license.)

Docket No: 25-CONS-3082-CMSC

CONSERVATION DIVISION

License No: N/A

PRESIDING OFFICER PROPOSED DEFAULT ORDER

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The Presiding Officer rules as follows:

1. On May 6, 2024, Applicant filed an application as described by the above caption. On August 29, 2024, Commission Staff filed a motion for the designation of a presiding officer and the setting of a prehearing conference; Operator did not respond.

2. On September 10, 2024, the Commission designated a presiding officer and set a September 26, 2024, prehearing conference. Operator did not attend the prehearing conference.

3. K.S.A. 77-520 provides that "If a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties a written notice of a proposed default order, including a statement of the grounds." Due to Operator's failure to attend the prehearing conference, the Presiding Officer finds Operator has failed to participate in a stage of this adjudicative proceeding, and serves this Proposed Default Order.

4. Pursuant to K.S.A. 77-520(b), Operator may file a written motion requesting this Proposed Default Order be vacated, stating the grounds relied upon, within seven calendar days after service of this Order. Pursuant to K.S.A. 77-520(c), unless Operator files a timely written motion to vacate this Proposed Default Order, this Order shall be effective.

5. If this Proposed Default Order becomes effective, then without further order Operator's application shall be dismissed and this docket shall be closed.

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: September 27, 2024

<u>Isl Jonathan R. Myers</u>

Jonathan R. Myers Presiding Officer

CERTIFICATE OF SERVICE

25-CONS-3082-CMSC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail and electronic service on _____

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