

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

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

In the matter of an agreed compliance	)	Docket No.: 15-CONS-173-CMSC
schedule for Joe Brake to plug the wells on	)	
the Korte Lease in Butler County, Kansas.	)	CONSERVATION DIVISION
	)	
	)	License No.: 31074 (Suspended)

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**ORDER DESIGNATING PREHEARING OFFICER  
& SETTING PREHEARING CONFERENCE**

1.        On April 23, 2015, the Commission issued a Penalty Order in this docket against Joe Brake. On May 21, 2015, Mr. Brake filed a letter with the Commission stating that he would like to appeal the penalty, but he did not explicitly request a hearing. After Commission Staff sent a letter asking Mr. Brake to clarify, on June 3, 2015, Mr. Brake filed a letter with the Commission explicitly requesting a hearing.

2.        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). The Commission also finds that an initial prehearing conference should be scheduled in this matter.

**THEREFORE, THE COMMISSION ORDERS:**

A.        The Prehearing Officer in this proceeding shall be Jonathan R. Myers, Counsel, Kansas Corporation Commission, 266 N. Main, Suite 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address [j.myers.kcc.ks.gov](mailto:j.myers.kcc.ks.gov).

B.        A Prehearing Conference is scheduled for Tuesday, June 30, 2015. The Prehearing Conference shall begin at 1:30 p.m. and end by 2:30 p.m., at the Commission's

offices, 266 N. Main, Suite 220, Wichita, Kansas 67202. Telephonic attendance may be permitted. The Prehearing Conference will focus on the development of a procedural schedule.

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.

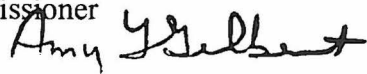
F. The attorney designated to appear on behalf of the agency in this proceeding is Lane Palmateer, telephone number 316-337-6200, email address [l.palmateer@kcc.ks.gov](mailto:l.palmateer@kcc.ks.gov).

G. Any person requiring special accommodations under the Americans with Disabilities Act should give notice to the Commission at least 10 days prior to the scheduled hearing date.

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

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: JUN 11 2015

  
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Amy L. Gilbert  
Secretary

Mailed Date: June 11, 2015

JRM

**CERTIFICATE OF SERVICE**

I certify that on 6/11/18, 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:

Joe Brake  
Route 1, Box 84  
Latham, Kansas 67072

And delivered by hand to:

Lane Palmateer  
Conservation Division Central Office

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