

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

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

In the Matter of the Notice of Denial of)	Docket No. 17-CONS-3236-CMSC
License Renewal Application to Eastern)	
Kansas Operating, LLC ("Operator").)	CONSERVATION DIVISION
)	
)	
)	License No: 34971

ORDER DESIGNATING NEW PREHEARING OFFICER

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed its files and records and being fully advised in the premises, the Commission makes the following findings:

1. On September 30, 2016, Commission Staff (Staff) issued to Eastern Kansas Operating, LLC (Operator) a Notice of Denial of License Renewal Application.
2. On October 12, 2016, Operator timely requested an evidentiary hearing in this matter.
3. On November 3, 2016, the Commission issued its *Order Designating Prehearing Officer & Setting Prehearing Conference* (Order), which designated John McCannon as the Prehearing Officer in this proceeding.¹
4. The Commission designates Michael J. Duenes, Assistant General Counsel, 1500 SW Arrowhead Road, Topeka, Kansas 66604-4027, telephone number (785) 271-3181, m.duenes@kcc.ks.gov, to serve as the new Prehearing Officer in this docket.² The Prehearing Officer may conduct prehearing conferences necessary to address any appropriate matters,

¹ Order, Ordering Clause A (Nov. 3, 2016).

² K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551(c).

including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). The Commission may designate other Staff members to serve in this capacity.

5. Although a Prehearing Officer is designated in this docket, parties are still required to file pleadings with the Commission, and filings shall be made with the Commission's Docket Room before 5:00 p.m., on the date scheduled for service. Any electronic service received after the deadline set forth in the procedural schedule, or any filing made after 5:00 p.m., on the date scheduled for service, shall be accompanied by a Motion to File Out of Time.

THEREFORE, THE COMMISSION ORDERS:


A. Michael J. Duenes is designated as the new Prehearing Officer.

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

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: APR 13 2017



Amy L. Green
Secretary to the Commission

Mailed Date: April 13, 2017

MJD/sc

CERTIFICATE OF SERVICE

I certify that on April 13, 2017, 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:

Matthew L. Faul
Lathrop & Gage LLP
2345 Grand Boulevard, Suite 2800
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Attorneys for Eastern Kansas Operating, LLC

Eastern Kansas Operating, LLC
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Chandler, Arizona 85248

And delivered electronically to:

Jonathan R. Myers
Litigation Counsel

Michael Duenes
Assistant General Counsel

/s/ Cynthia K. Maine
Cynthia K. Maine
Administrative Assistant
Kansas Corporation Commission