

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

In the matter of the failure of Michael D. Weilert    )  
dba Michael D. Weilert Oil Company                    )  
("Operator") to comply with K.A.R. 82-3-600,       )  
K.A.R. 82-3-603, and K.A.R. 82-3-604 at the        )  
Gay E. Reidel C #2 well in Ellis County, Kansas.   )  
Docket No.: 18-CONS-3077-CPEN  
CONSERVATION DIVISION  
License No.: 5798

**MOTION TO CANCEL PROCEDURAL SCHEDULE  
OR CONTINUE PROCEDURAL DEADLINES**

The Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission," respectively) files this *Motion to Cancel Procedural Schedule or Continue Procedural Deadlines* in light of an anticipated settlement.

In support of its Motion, Staff states as follows:

1. On August 22, 2017, Operator was penalized \$1,500 for violations of K.A.R. 82-3-600, 603, 603a(a), 604(b), and 604(d). Operator was directed to file an Application for Surface Pit (CDP-1) Form, a Closure of Surface Pit (CDP-4) Form, and a Waste Transfer (CDP-5) Form.
2. On September 25, 2017, Operator timely requested a hearing.
3. On January 24, 2018, the prehearing officer issued an order setting a February 19, 2018, deadline for Staff's testimony, a February 26 deadline for Operator's testimony, a March 5 deadline for rebuttal testimony, and setting an evidentiary hearing for March 15, 2018.
4. Operator and Staff have reached a settlement that has been committed to writing; however, it will likely be at least few days until Operator's counsel can get a signed copy of the agreement to Staff, so that a motion to approve the settlement can be filed.
5. Given the above, it would be an inefficient use of Commission resources for Staff to prepare and file testimony in this matter by the current February 19, 2018, deadline.
6. Staff has consulted with counsel for Operator, who is not opposed to this motion.

WHEREFORE, Staff requests that the procedural deadlines in this docket either be cancelled altogether, or in the alternative, if the Commission prefers, that the procedural deadlines be adjusted for the Commission's regularly-scheduled April 19, 2018, hearing date for oil and gas matters, with Staff's testimony not due until March 26 2018, Operator's due April 2, 2018, and rebuttal testimony due April 9, 2018.

Respectfully submitted,




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Jonathan R. Myers, #25975  
Litigation Counsel  
Kansas Corporation Commission  
266 N. Main, Suite 220  
Wichita, Kansas 67202  
Phone: 316-337-6200; Fax: 316-337-6211

**VERIFICATION**

STATE OF KANSAS                                 )  
  ) ss.  
COUNTY OF SEDGWICK                         )

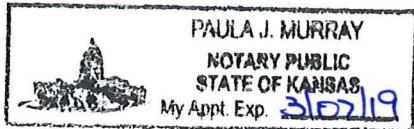
Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.

  
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Jonathan R. Myers, S. Ct. #25975  
Litigation Counsel  
State Corporation Commission  
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 19 day of FEB, 2018.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires: 3/07/19



**CERTIFICATE OF SERVICE**

I certify that on 2/19/18, I caused a complete and accurate copy of this Motion to be served electronically, addressed to the following:

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