

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

In the matter of the application of Merit Energy Company, LLC, for an order authorizing the unitization and unit operation of the Napeste Unit to be located in Finney County, Kansas.)	Docket No.: 25-CONS-3390-CUNI
)	CONSERVATION DIVISION
)	License No.: 32446

RESPONSE TO OPERATOR'S MOTION FOR SUMMARY PROCEEDINGS

Staff of the Kansas Corporation Commission (Staff and Commission, respectively) hereby files this response to the Motion for Summary Proceedings (Motion) filed by Merit Energy Company, LLC (Operator) on July 18, 2025. In support of its response, Staff states the following:

1. On June 17, 2025, Operator filed an Application requesting an order authorizing the unitization and unit operation of the Napeste Unit in Finney County, Kansas, pursuant to K.S.A. 55-1301, *et seq.*¹

2. Notice was properly served and met the requirements of K.S.A. 55-1310, K.S.A. 55-605, and K.A.R. 82-3-135a. No protests or objections have been submitted to the Commission in this matter.

3. On July 15, 2025, the Commission issued an Order Designating Presiding Officer and Setting Prehearing Conference, wherein a prehearing conference was scheduled for July 24, 2025.²

4. On July 18, 2025, Operator filed its Motion requesting summary proceedings in lieu of an evidentiary hearing as provided by the Kansas Administrative Procedure Act (KAPA).³

¹ Application (Jun. 17, 2025).

² Order Designating Presiding Officer and Setting Prehearing Conference (Jul. 15, 2025).

³ Motion for Summary Proceedings (Jul. 18, 2025).

5. Staff has reviewed Operator's Application in this matter. Staff is satisfied that the grant of such Application complies with the applicable statutory and regulatory requirements. Thus, Staff has no objection to the Motion because it appears the KAPA notice and hearing requirements mandated by K.S.A. 55-1303 and K.S.A. 55-1304 are met, and Operator's Application qualifies for summary proceedings under K.S.A. 77-537.

WHEREFORE, for the reasons described above, Staff recommends approval of Operator's Application authorizing the unitization of the Napeste Unit through summary proceedings as it appears granting the Application will prevent waste, protect correlative rights, and does not present a current pollution threat.

Respectfully submitted,

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CERTIFICATE OF SERVICE

25-CONS-3390-CUNI

I, the undersigned, certify that a true and correct copy of the attached Response has been served to the following by means of first-class mail and electronic service on July 25, 2025.

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