

**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 application of Duncan) Docket No: 17-CONS-3429-CBSO
Energy Company and Farleigh Oil Properties) (177,932-C), (C-26,223)
for an exception to certain regulations of this)
Commission otherwise applicable to gas wells) CONSERVATION DIVISION
producing coalbed methane gas in Jackson,)
Pottawatomie, Nemaha, Shawnee, Jefferson,) License No: N/A
Brown, and Osage Counties, Kansas.)

**ORDER DESIGNATING PREHEARING OFFICER AND
SETTING PREHEARING CONFERENCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On November 27, 1991, the Commission issued an Order in Docket No. 177,932-C (C-26,223) creating rules for coalbed methane wells drilled in Jackson, Pottawatomie, Nemaha, Shawnee, Jefferson, Brown, and Osage Counties, Kansas.

2. On December 27, 2016, Commission Conservation Staff (Staff) filed a Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference Regarding Cancellation of the “Eastern Kansas Counties/Coalbed Methane Order” (Motion). Staff stated its belief that the 1991 Order no longer serves any utility and should be cancelled.¹

3. On May 2, 2017, Staff filed a Status Update in this proceeding, stating that it is “currently awaiting a determination from the Commission and is prepared to provide additional information necessary to proceed in this docket.”²

¹ Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference Regarding Cancellation of the “Eastern Kansas Counties/Coalbed Methane Order,” ¶ 2 (Dec. 27, 2016).

² Staff’s Status Update, ¶ 3.

4. Upon its own motion and pursuant to K.S.A. 77-551(c), 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), and a Prehearing Conference should be scheduled.

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. The Prehearing Officer in this proceeding shall be Michael J. Duenes, Assistant General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604-4027, telephone number (785) 271-3181, email address m.duenes@kcc.ks.gov. The Commission may designate other Staff members to serve in this capacity.

B. A Prehearing Conference is scheduled for **Thursday, July 6, 2017 at 9:00 a.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

C. Subsequent to the above-scheduled Prehearing Conference, status conferences shall be held in this docket every 30 days until such time as a hearing is conducted or a settlement approved.

D. 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.

E. 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 may be held in default under the KAPA.³

F. A corporation shall appear before the Commission by a Kansas licensed attorney.⁴

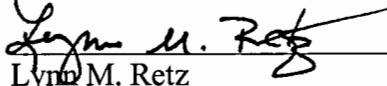
G. The attorney designated to appear on behalf of the agency in this proceeding is Josh Wright, Litigation Counsel, telephone number (316) 337-6217, j.wright@kcc.ks.gov.

H. The Commission retains jurisdiction over the subject matter and 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: JUN 13 2017


Lynn M. Retz
Secretary to the Commission

Mailed Date: June 14, 2017

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³ K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

⁴ K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

CERTIFICATE OF SERVICE

I certify that on June 14, 2017, I caused a complete and accurate copy of this Order to be served electronically and via United States mail, with the postage prepaid and properly addressed to the following:

N/A

and delivered by e-mail to:

Joshua D. Wright, Litigation Counsel
KCC Wichita Central Office

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office

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