

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

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

In the matter of the failure of Steve A.) Docket No.: 15-CONS-052-CPEN
Becker dba A & A Well Service ("Operator"))
to comply with K.A.R. 82-3-400 at the) CONSERVATION DIVISION
Daniels #35 well in Allen County, Kansas.)
_____) License No.: 31813

ORDER RESCINDING PENALTY

The above-captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On July 22, 2014, the Commission issued a penalty order against the Operator. The Penalty Order found one violation of K.A.R. 82-3-400 and assessed a \$1,000 monetary penalty. The Order was mailed on August 13, 2014.
2. The Operator timely filed its appeal on August 29, 2014, alleging clerical error.
3. On October 21, 2014, the Commission issued its Order Designating Prehearing Officer and Setting Prehearing Conference.
4. The prehearing conference was held and attended by all parties. The Prehearing Officer issued its Prehearing Officer Order Setting Procedural Schedule.
5. On November 10, 2014, Staff filed a Motion to Rescind Penalty. The Motion stated that a records discrepancy had been identified through discussions, and the penalty should be rescinded. No response to the motion was filed by Operator.
6. The Commission finds and concludes that the Penalty Order should be rescinded.

THEREFORE, THE COMMISSION ORDERS:

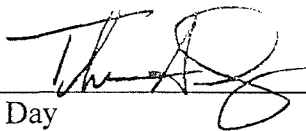
A. The penalty order in this docket is hereby rescinded.

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: NOV 20 2014



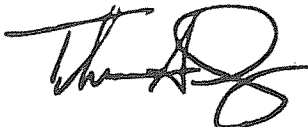
Tom Day
Acting Executive Director

Mailed Date: 11/21/14

LRP

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

NOV 20 2014



CERTIFICATE OF SERVICE

I certify that on 11/20/14, 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:

Steve A. Becker dba A & A Well Service
4500 Connecticut Road
Elsmore, KS 66732

And delivered by hand to:

Jon Myers
Alan Snider
KCC Conservation Division

/s/ Lane R. Palmateer
Lane R. Palmateer
Litigation Counsel
Kansas Corporation Commission