

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of an Order to Show Cause) Docket No: 18-CONS-3098-CSHO
issued to Bert Carlson (“Operator”) regarding)
responsibility under K.S.A. 55-179 for) CONSERVATION DIVISION
unplugged wells on an expired license.)
_____) License No. 32802

ORDER CLOSING DOCKET

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

1. On October 19, 2017, the Commission issued its *Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference* (Order), finding that the Operator should attend an evidentiary hearing to show cause why the Operator is not responsible for bringing into compliance the Bradford 1 and Sherman 1 wells listed on the Operator’s license, and scheduling a Prehearing Conference for November 14, 2017.¹

2. At the November 14, 2017, Prehearing Conference, Commission Conservation Staff (Staff) verbally moved to have the Prehearing Conference continued for 60 days.

3. On November 16, 2017, Staff confirmed its verbal motion by filing a Motion to Reschedule Prehearing Conference, asking that the Prehearing Conference be rescheduled for the third week of January 2018.

¹ Order, ¶ 8, Exhibit A, and Ordering Clause C (Oct. 19, 2017).

4. At the January 16, 2018, Prehearing Conference, Staff requested another 60 day continuance in order to explore this docket's consequences with respect to the Operator's bankruptcy proceedings.

5. On January 23, 2018, the Prehearing Officer rescheduled the Prehearing Conference for March 22, 2018.²

6. On March 28, 2018, Staff filed a Motion to Close Docket, stating that, while Staff believes the Operator remains responsible for the care and control of the two abandoned, unplugged wells on its expired license, communications with Operator's counsel have led Staff to believe "it would be most efficient to resolve this matter either outside of litigation through the Commission, or by renewed litigation through the Commission after Operator's bankruptcy has been resolved."³ Staff stated it "has identified no environmental issue needing immediate attention."⁴ Staff also noted that the Operator is not opposed to Staff's Motion.⁵

7. Based on the above, the Commission finds the Operator's bankruptcy proceeding makes it prudent to work toward resolution of this matter either outside of litigation through the Commission or by renewed litigation through the Commission once the bankruptcy proceeding is resolved. Thus, the Commission finds the docket should be closed.

THEREFORE, THE COMMISSION ORDERS:

A. This docket is closed.

B. The parties have fifteen (15) days, plus three (3) days if mailed service, in which to petition the Commission for reconsideration.⁶

² *Prehearing Officer Order Rescheduling Prehearing Conference*, Ordering Clause A (Jan. 23, 2018).

³ Motion to Close Docket, ¶¶ 1, 4 (Mar. 28, 2018).

⁴ *Id.*, ¶ 4.

⁵ *Id.*, ¶ 5.

⁶ K.S.A. 55-162; 55-606; K.S.A. 66-118b; K.S.A. 77-529(a)(1).

C. 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.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 04/10/2018



Lynn M. Retz
Secretary to the Commission

Mailed Date: _____

MJD

CERTIFICATE OF SERVICE

18-CONS-3098-CSHO

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 04/10/2018

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/S/ DeeAnn Shupe

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