

**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. Becker	)	Docket No.: 15-CONS-371-CPEN
dba A&A Well Service ("Operator") to	)	
comply with K.A.R 82-3-107 and K.A.R. 82-	)	CONSERVATION DIVISION
3-130 at the D J Daniels #1-4, Nelson #2-14,	)	
Nelson#3-14, Williams #1-14 and Williams	)	License No.: 31813
<u>#2-14 in Allen County, Kansas.</u>	)	

**DEFAULT ORDER**

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:

**I. JURISDICTION**

1. K.S.A. 77-520 provides that if a party fails to attend any stage of an adjudicative proceeding, the agency may issue a default order with a statement of the grounds. The party has seven days to file a written motion to vacate, stating the grounds relied upon.

**II. FINDINGS OF FACT**

2. On November 4, 2014, the Commission issued a Penalty Order against Steve A. Becker for failure to submit well completion forms and associated documents within the 120 day time period for each of the captioned wells.

3. On December 5, 2014, Mr. Becker timely submitted his letter of appeal.

4. On December 12, 2014, the Commission issued its Order Designating Prehearing Officer and Setting Prehearing Conference. The Order set a prehearing conference for December

30, 2014, at 2:30 p.m. The Order stated that telephonic attendance was available by request, and it stated that the failure to attend any stage of the proceeding shall result in a default order.

5. On December 30, 2014, at 2:30 p.m., the prehearing conference was held. Mr. Becker did not attend the Prehearing Conference in person or by phone. Counsel for Staff verbally moved that the Prehearing Officer propose this default order.

### III. CONCLUSIONS OF LAW

6. The operator's failure to attend the Prehearing Conference constituted default under the KAPA. Staff's motion for a default order is granted, and the appeal is dismissed.

#### THEREFORE, THE COMMISSION ORDERS:

- A. Staff's motion for a default order is granted, and the appeal is dismissed.
- B. Mr. Becker shall pay the \$2,500 penalty within 30 days.
- C. Pursuant to K.S.A. 77-520(b), Operator may file a written motion requesting that this Default Order be vacated and stating the grounds relied upon, within seven calendar days after service of this Order, with three additional days added to account for service by mail. The motion shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202.
- D. The Commission retains jurisdiction of the subject matter and the parties and may enter additional orders as it deems appropriate.

#### BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: JAN 13 2015



Neysa Thomas  
Acting Secretary of the Commission

Mailed Date: 1/14/15

LRP

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

JAN 13 2015

**CERTIFICATE OF SERVICE**

I certify that on 1/14/15, 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  
Rene Stucky  
KCC Conservation Division

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