

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

In the matter of the Application of Prairie Gas	)	
Operating, LLC (Operator) for an Operator's	)	Docket No.: 22-CONS-3098-CMSC
License Renewal	)	
	)	CONSERVATION DIVISION
	)	
	)	License No.: 35442

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**PRAIRIE GAS OPERATING, LLC'S RESPONSE TO STAFF'S MOTION FOR THE  
DESIGNATION OF A PRESIDING OFFICER AND THE  
SCHEDULING OF A PREHEARING CONFERENCE**

**COMES NOW PRAIRIE GAS OPERATING, LLC** (hereinafter "Operator") by and through its attorney, Lee Thompson, Thompson Law Firm, L.L.C.. submits this its Response to Staff's Motion for the Designation of a Presiding Officer and the Scheduling of a Prehearing Conference.

1. Operator does not oppose Staff's Motion for Designation of a Presiding Officer and the Scheduling of a Prehearing Conference. Operator does note and would object to consideration of the fact intensive issues and allegations encompassed in Staff's Motion without full due process, discovery and ultimately a hearing if necessary.
2. The Motion for Designation of a Presiding Officer and Scheduling of a Prehearing Conference in Docket 22-3098 alleges that inspections have revealed a "multitude of potential regulatory violations, such as but not limited to, temporary abandonment, casing integrity and conducting oil and gas operations under a suspended license."

3. Other than in prior existing dockets, Prairie Gas at this time is unable to respond to the “potential” regulatory violations, the litany of exemplars, and the allegation of operating while under suspended license – all without any specification or notice of violation or opportunity for formal hearing being afforded.
4. The Commission previously considered and granted Operator’s Petition to Lift a Suspension of its license on April 20, 2021, in Dockets 3129, 3144 and 3220. Operator will contend as appropriate in the prehearing conference for deadlines to be set in which legal issues can be determined, including the fact that the April 20,2021 Order collaterally estops many of the unproven allegations.
5. Staff’s notation extending the temporary expiration of Operator’s license is appropriate and militates in favor of informal discussions and factual exchanges to further identify Staff’s concerns.
6. Staff’s allegations in the subject motion affects and would impinge upon of the entire operation of Prairie Gas in Kansas. The scope of the putative allegations is sufficiently broad so as to affect production from hundreds of wells in western Kansas; affect landowners, and the conservation of resources. Operator will endeavor to meet with Staff and craft a comprehensive resolution of existing matters if possible.
7. Operator will as timely and appropriate request necessary discovery, a factual showing with evidence and a due process hearing at the prehearing conference.

Respectfully Submitted  
PRAIRIE GAS OPERATING, LLC

**By /s/ Lee Thompson**

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**Attorney for Operator**

**CERTIFICATE OF SERVICE**

I hereby certify on this 15<sup>th</sup> day of September 2021, the above and foregoing Response to Staff's Motion for Appointment of a Prehearing Officer was filed in the referenced docket by the express electronic filing system which will also serve notice upon litigation counsel for the Kansas Corporation Commission, Conservation Division at 266 N. Main, Suite 220, Wichita Kansas.

**/s/ Lee Thompson**