

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

**PRE-FILED TESTIMONY  
  
OF  
  
RENE STUCKY**

1 Q. What is your name and business address?

2 A. Rene Stucky, 266 North Main Suite 220, Wichita, Kansas 67202.

3 Q. By whom are you employed and in what capacity?

4 A. I'm employed by the Conservation Division of the Kansas Corporation Commission, as  
5 Supervisor of the Underground Injection Control ("UIC") Department and the Production  
6 Department.

7 Q. How long have you been employed by the KCC?

8 A. About 8 years. Before becoming Supervisor, I was an Environmental Scientist in the UIC  
9 Department, where I reviewed and processed injection applications.

10 Q. Have you previously testified before this Commission?

11 A. Yes.

12 Q. What does your position with the Conservation Division involve?

13 A. I supervise everyone in the Conservation Division's UIC and Production Departments.

14 Q. Are you familiar with this KCC Docket, 15-CONS-371-CPEN?

15 A. Yes.

16 Q. How are you familiar with this Docket?

17 A. Under K.A.R. 82-3-107 and K.A.R. 82-3-130, operators must submit a complete,  
18 accurate Well Completion ("ACO-1") Report within 120 days of spudding a well.  
19 Commission records indicate that Steve A. Becker ("Operator") spudded the D J Daniels  
20 #1-4, Nelson #2-14, Nelson #3-14, Williams #1-14, and Williams #2-14 wells ("the  
21 subject wells") between April 21 and May 8, 2014. Therefore, Operator needed to have  
22 submitted ACO-1 Reports for all of the subject wells by September 5, 2014.

23 Operator did not submit the ACO-1 Reports by September 5, 2014, in violation of  
24 Commission regulations. So on October 3, 2014, Production Staff Naomi James sent  
25 Notice of Violation letters to Operator (Exhibit A), giving Operator an October 24, 2014,  
26 deadline to bring the wells into compliance. The Notice of Violation letter stated that "If  
27 an ACO-1 is returned to you as incomplete, you do not have additional time – the  
28 deadline above [October 24, 2014] governs."

29 On October 28, 2014, Naomi James submitted penalty recommendations to me  
30 (Exhibit B), because Operator had not filed a complete ACO-1 Report for any of the  
31 subject wells. After reviewing the matter, I approved the penalty recommendations the

1 same day, which were then submitted to the Legal Department. Operator did not submit  
2 acceptable ACO-1 Reports for the subject wells until November 4, 2014, the same day  
3 the Commission approved the Penalty Order.

4 Q. In your opinion, should the Penalty Order in this docket be affirmed?

5 A. Yes. Operator was in violation of K.A.R. 82-3-107 and K.A.R. 82-3-130 from September  
6 20, 2014, until November 4, 2014, and did not comply with the deadline in Staff's Notice  
7 of Violation letter. Commission regulations clearly state the appropriate penalty.

8 Q. Does this conclude your testimony as of this date, June 1, 2015?

9 A. Yes.

Conservation Division  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513



Phone: 316-337-6200  
Fax: 316-337-6211  
<http://kcc.ks.gov/>

Shari Feist Albrecht, Chair  
Jay Scott Emler, Commissioner  
Pat Apple, Commissioner

Sam Brownback, Governor

October 3, 2014

License No. 31813

Steve A Becker  
Becker, Steve A.  
A & A Well Service  
4500 CONNECTICUT RD  
ELSMORE, KS 66732

**NOTICE OF VIOLATION**

**MISSING WELL COMPLETION REPORT ("ACO-1")**

Re: API #15001310040000  
D J Daniels 1-14  
NENWNWSE, 16-26S-21E  
ALLEN County, Kansas

Operator:

Commission records indicate that the referenced well was spudded more than 120 days ago.

K.A.R. 82-3-107 and K.A.R. 82-3-130 require operators to file an ACO-1 within 120 days of the spud date of each well. For the referenced well, we have not received the necessary ACO-1.

**Failure to submit a complete, accurate ACO-1 for the referenced well  
by October 24, 2014  
shall be punishable by a \$500 per-well administrative penalty.**

The information requested above must be submitted on KOLAR. If an ACO-1 is returned to you as incomplete, you do not have additional time – the deadline above governs.

Please contact me at (316) 337-6200 if you have any questions.

Sincerely,

NAOMI JAMES  
Production Department

Conservation Division  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513



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Fax: 316-337-6211  
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4500 CONNECTICUT RD  
ELSMORE, KS 66732

**NOTICE OF VIOLATION**

**MISSING WELL COMPLETION REPORT ("ACO-1")**

Re: API #15001309970000  
Nelson 2-14  
N2SWSESW, 21-26S-21E  
ALLEN County, Kansas

Operator:

Commission records indicate that the referenced well was spudded more than 120 days ago.

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Re: API #15001309960000  
Nelson 3-14  
SEWNENW, 28-26S-21E  
ALLEN County, Kansas

Operator:

Commission records indicate that the referenced well was spudded more than 120 days ago.

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Becker, Steve A.  
A & A Well Service  
4500 CONNECTICUT RD  
ELSMORE, KS 66732

**NOTICE OF VIOLATION**

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Re: API #15001310050000  
Williams 1-14  
SWNWSWNE, 21-26S-21E  
ALLEN County, Kansas

Operator:

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Please contact me at (316) 337-6200 if you have any questions.

Sincerely,


NAOMI JAMES  
Production Department



## PENALTY ORDER RECOMMENDATION

### \*\*\*ROUTINE WELL COMPLETION REPORT VIOLATION\*\*\*

*Note: this sheet will be attached to the Order that is mailed to the operator.*

Date of Recommendation:	October 28, 2014
District/Department:	Production Department
Person Recommending Penalty:	Naomi James
Operator Name:	Becker, Steve A.
Operator License Number:	31813
Well/Lease Name & Well Number:	D J Daniels 1-14
Well/Lease Location, and County:	NENWNWSE, 16-26S-21E, ALLEN County.
Well API Number:	15001310040000
UIC Docket Number:	N/A
Regulation Number:	82-3-107 and 82-3-130
Description of Violation:	Failure to submit ACO-1 and associated documents.
Spud Date:	5/8/2014
Date NOV letter sent and deadline.	10/3/14 with a deadline of 10/24/14.
Requested Monetary Penalty:	\$500
Requested Operator Activity:	File well completion report and associated documents.
Supervisor Initials	

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District/Department:	Production Department
Person Recommending Penalty:	Naomi James
Operator Name:	Becker, Steve A.
Operator License Number:	31813
Well/Lease Name & Well Number:	Nelson 2-14
Well/Lease Location, and County:	N2SWSESW, 21-26S-21E, ALLEN County.
Well API Number:	15001309970000
UIC Docket Number:	N/A
Regulation Number:	82-3-107 and 82-3-130
Description of Violation:	Failure to submit ACO-1 and associated documents.
Spud Date:	4/21/2014
Date NOV letter sent and deadline.	10/3/14 with a deadline of 10/24/14.
Requested Monetary Penalty:	\$500
Requested Operator Activity:	File well completion report and associated documents.
Supervisor Initials	<i>BJ</i>

## PENALTY ORDER RECOMMENDATION

### \*\*\*ROUTINE WELL COMPLETION REPORT VIOLATION\*\*\*

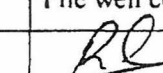
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Person Recommending Penalty:	Naomi James
Operator Name:	Becker, Steve A.
Operator License Number:	31813
Well/Lease Name & Well Number:	Nelson 3-14
Well/Lease Location, and County:	SEWNENW, 28-26S-21E, ALLEN County.
Well API Number:	15001309960000
UIC Docket Number:	N/A
Regulation Number:	82-3-107 and 82-3-130
Description of Violation:	Failure to submit ACO-1 and associated documents.
Spud Date:	4/25/2014
Date NOV letter sent and deadline.	10/3/14 with a deadline of 10/24/14.
Requested Monetary Penalty:	\$500
Requested Operator Activity:	File well completion report and associated documents.
Supervisor Initials	

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Well/Lease Location, and County:	SWNWSWNE, 21-26S-21E, ALLEN County.
Well API Number:	15001310050000
UIC Docket Number:	N/A
Regulation Number:	82-3-107 and 82-3-130
Description of Violation:	Failure to submit ACO-1 and associated documents.
Spud Date:	5/1/2014
Date NOV letter sent and deadline.	10/3/14 with a deadline of 10/24/14.
Requested Monetary Penalty:	\$500
Requested Operator Activity:	File well completion report and associated documents.
Supervisor Initials	

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Operator License Number:	31813
Well/Lease Name & Well Number:	Williams 2-14
Well/Lease Location, and County:	SENWSWNE, 21-26S-21E, ALLEN County.
Well API Number:	15001310060000
UIC Docket Number:	N/A
Regulation Number:	82-3-107 and 82-3-130
Description of Violation:	Failure to submit ACO-1 and associated documents.
Spud Date:	5/5/2014
Date NOV letter sent and deadline.	10/3/14 with a deadline of 10/24/14.
Requested Monetary Penalty:	\$500
Requested Operator Activity:	File well completion report and associated documents.
Supervisor Initials	

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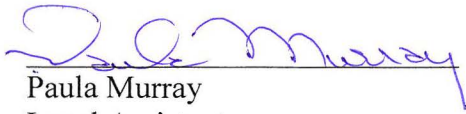
Before Commissioners:                Shari Feist Albrecht, Chair  
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In the matter of the failure of Steve A. Becker dba A & A Well Service ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the D J Daniels #1-14, Nelson #2-14, Nelson #3-14, Williams #1-14 and Williams #2-14 in Allen County, Kansas.	)	Docket No. 15-CONS-371-CPEN
	)	CONSERVATION DIVISION
	)	License No. 31813

**CERTIFICATE OF SERVICE**

I, Paula Murray, certify that on June 1, 2015, I did cause a true and correct copy of the Pre-Filed Testimony of Rene Stucky to be served by United States mail, first class, postage prepaid to the following:

Bret A. Heim  
Immel & Heil, P.A.  
Four East Jackson  
Iola, Kansas 66749  
*Attorney for Steve A. Becker*

  
Paula Murray  
Legal Assistant  
Kansas Corporation Commission