

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

In the matter of the failure of Prairie Gas)	Docket No.: 18-CONS-3203-CPEN
Operations, LLC ("Operator") to comply with)	
K.A.R. 82-3-126 at the Hoffman G #32-1 in)	CONSERVATION DIVISION
Greeley and Hamilton County, Kansas.)	
)	License No.: 35442

MOTION FOR DEFAULT ORDER

The Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission," respectively), moves the Commission for a Default Order to be issued against Operator. In support of its motion, Staff states as follows:

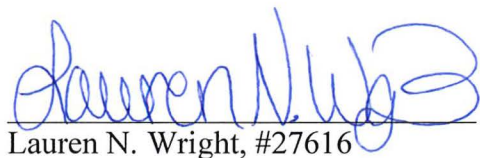
1. On November 09, 2017, the Commission issued a Penalty Order against Operator in the captioned docket.
2. On December 14, 2017, Operator filed a timely appeal. On January 9, 2018, the Commission issued an order setting this matter for a February 8, 2018, prehearing conference.
3. On January 26, 2018, Operator filed "confidential proposed settlement letter".
4. On February 05, 2018 counsel for Staff filed a motion to "eliminate confidential designation and to require Operator's attorney enter appearance to avoid default," to which Operator has not responded.
5. Counsel for Staff appeared at the pre-hearing conference on February 8, 2018, but Operator failed to appear. Operator has brought the well into compliance but has not paid the \$100 in penalties pursuant to the penalty orders. Staff stated at the prehearing conference that it would be filing a written motion for default.
6. Pursuant to K.S.A. 77-520(a), "[i]f a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties written notice of a proposed default order, including a statement of the

grounds.” Staff believes Operator was properly noticed and afforded an opportunity to attend and participate in the February 08, 2018, prehearing conference, but failed to do so. Therefore, Staff requests that a default order be issued against Operator.

WHEREFORE, for the reasons set forth above, Staff respectfully requests the Commission issue a default order against Operator for failure to appear and participate, and for any further relief as the Commission deems just and proper.

To the extent this Motion for Default against Operator is granted, Staff would like to withdraw the portion of its previous motion, “to require Operator’s attorney to enter appearance to avoid default” as it would then be moot. However, Staff would still request a ruling on the portion of its February 5th motion to eliminate the confidential designation.

Respectfully submitted,

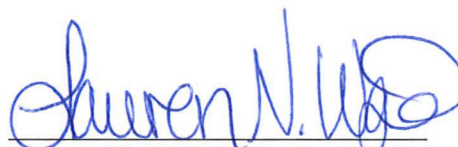


Lauren N. Wright, #27616
Litigation Counsel, Kansas Corporation Commission
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Phone: 316-337-6200; Fax: 316-337-6211

VERIFICATION

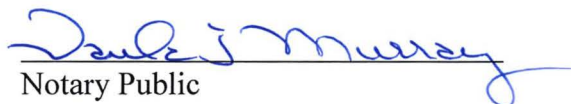
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Lauren N. Wright, of lawful age, being duly sworn upon her oath deposes and states that she is Litigation Counsel for the State Corporation Commission of the State of Kansas; that she has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of her knowledge, information and belief.

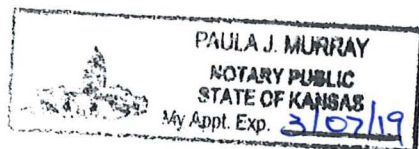


Lauren N. Wright, S. Ct. #27616
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 15 day of Feb, 2018.


Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

I certify that on 2/15/18, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Ian B. Acrey
Prairie Gas Operating, LLC
PO Box 2170
Tulsa, OK 74101-2170

and delivered by e-mail to:

Lauren N. Wright, Litigation Counsel
KCC Central Office
l.wright@kcc.ks.gov

Michael J. Duenes, Assistant General Counsel
KCC Topeka Office
m.duenes@kcc.ks.gov

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission