

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

In the Matter of the Application of Pantera)	Docket No.: 20-CONS-3110-CEXC
Energy Company for an Exception to the)	
10-Year Time Limitation of K.A.R. 82-3-111)	CONSERVATION DIVISION
for its Stirrup Unit 19-2 Well Located in the)	
SE/4 of Section 34, Township 32 South, Range)	License No.: 35681
40 West, Morton County, Kansas.)	

**MOTION FOR THE DESIGNATION OF A PREHEARING OFFICER AND THE
SCHEDULING OF A PREHEARING CONFERENCE**

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) files this Motion seeking the designation of a prehearing officer and the scheduling of a prehearing conference in this matter. In support of its motion, Staff states the following:

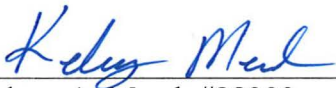
1. On October 11, 2019, Pantera Energy Company (Operator) filed an application seeking an exception to the 10-year time limitation of K.A.R. 82-3-111 for the Stirrup Unit #19-2 well (subject well), API #15-129-20883.
2. On November 22, 2019, Operator filed an affidavit of publication from The Wichita Eagle.
3. On December 3, 2019, Operator filed an affidavit of publication from The Elkhart Tri State News.
4. Upon review of the application, Legal Staff noted that Operator's application lacked the information that a successful, Staff-witnessed mechanical integrity test (MIT) had been conducted on the subject well. District Staff confirmed that a current MIT had not been conducted on the subject well.

5. On November 21, 2019, Staff sent a letter to Operator requiring Operator to conduct a successful, Staff-witnessed MIT by December 31, 2019. The Operator failed to conduct or schedule a MIT by the deadline provided in the letter attached hereto as **Exhibit A**.

6. Based upon the above, Staff does not recommend approval of Operator's application at this time, and believes it would be appropriate for this matter to be set for an evidentiary hearing in order to further investigate issues due to potential well integrity issues.

WHEREFORE, for the reasons described above, Staff respectfully moves the Commission to issue an Order designating a prehearing officer, and scheduling a prehearing conference that will allow further development of a procedural schedule in this matter.

Respectfully submitted,



Kelcey A. Marsh #28300
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Suite 220
Wichita, Kansas 67202
Phone: 316-337-6200; Fax: 316-337-6211
k.marsh@kcc.ks.gov

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



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

Dwight D. Koen, Chair
Shari First Albright, Commissioner
Susan K. Dilly, Commissioner

Laura Kelly, Governor

November 21, 2019

Laura Savage
Pantera Energy Company
817 S. Polk St., Ste. 201
Amarillo, TX 79101-3433

RE: Docket #20-CONS-3110-CEXC

Ms. Savage:

Commission Legal Staff received the application in the referenced docket on October 11, 2019. However, before reviewing the referenced application, Staff sees two issues that need to be resolved.

First, the Operator needs to conduct a successful mechanical integrity test on the Stirrup Unit #19-2 well, API #15-129-20883. Staff will not recommend approval of the application without the Operator conducting a successful mechanical integrity test.

Second, the Operator needs to publish notice of its application as required under K.A.R. 82-3-135a(d). After notice has been published the Operator will need to submit affidavits of publication to the Kansas Corporation Commission to supplement its application in the referenced docket.

Please conduct a successful, Staff-witnessed mechanical integrity test and submit an affidavit of publication for the Wichita Eagle and Elkhart Tri-State News by December 31, 2019. Failure to do so will result in Staff requesting that this matter be assigned a prehearing officer and set for a prehearing conference, in anticipation of an evidentiary hearing where Staff would recommend denial of the application for the reasons noted above.

You may contact me if you have any questions.

Sincerely,


Kelcey Marsh
Litigation Counsel
Kansas Corporation Commission

cc: Scott Alberg, Eric MacLaren, Michele Pennington, District #1

VERIFICATION

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

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



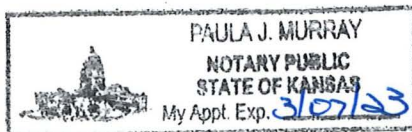
Kelcey A. Marsh, S. Ct. #28300
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 18 day of Feb, 2020.



Notary Public

My Appointment Expires: 3/07/23



CERTIFICATE OF SERVICE

20-CONS-3110-CEXC

I, the undersigned, certify that a true copy of the attached Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference has been served to the following by means of first class mail and electronic service on February 18, 2020.

SCOTT ALBERG, DISTRICT #1 SUPERVISOR
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Fax: 785-271-3354
s.alberg@kcc.ks.gov

JASON HERRICK
PANTERA ENERGY COMPANY
817 S POLK ST STE 201
AMARILLO, TX 79101-3433

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
k.marsh@kcc.ks.gov

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
j.myers@kcc.ks.gov

MICHELE PENNINGTON
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Fax: 785-271-3354
m.pennington@kcc.ks.gov

/s/ Paula J. Murray

Paula J. Murray