## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

**Before Commissioners:** Andrew J. French, Chairperson

> Dwight D. Keen Susan K. Duffy

In the matter of the failure of Robert E. Housel	)	Docket No: 21-CONS-3253-CPEN
(Operator) to comply with K.A.R. 82-3-407 at	)	
the Darling #1 in Montgomery County, Kansas.	)	CONSERVATION DIVISION
	)	
	)	License No: 6700

## PRESIDING OFFICER ORDER RESCHEDULING PREHEARING CONFERENCE

The Presiding Officer rules as follows:

- 1. On May 13, 2021, the Commission issued a Penalty Order against Robert E. Housel (Operator) for one violation of K.A.R. 82-3-407 because Operator had not performed a current, successful mechanical integrity test at the Darling #1 well. On June 17, 2021, Operator requested a hearing.<sup>2</sup> On June 24, 2021, the Commission issued an Order Designating Presiding Officer and Setting Prehearing Conference, setting a July 20, 2021, prehearing conference.<sup>3</sup>
- 2. On July 20, 2021, Commission Staff attended the prehearing conference, but Operator did not. At the prehearing conference, Staff identified a likely service issue – Operator updated the address associated with its license on June 16, 2021, and used the new address in his June 17, 2021 request for hearing, but the Commission's June 24, 2021, order setting the prehearing conference was mailed to Operator's old address. In light of this, the Prehearing Officer finds it appropriate to reschedule the prehearing conference and serve notice to Operator at his new address.

<sup>2</sup> See Request for Hearing (Jun. 17, 2021).

<sup>&</sup>lt;sup>1</sup> See Penalty Order, ¶¶ 7, 11 (May 13, 2021).

<sup>&</sup>lt;sup>3</sup> See Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause B (Jun. 24, 2021).

THEREFORE, THE PRESIDING OFFICER ORDERS:

A. A copy of the Commission's June 24, 2021, order shall be mailed to Operator along

with this Order, at Operator's new address. The Commission employee who mails this Order shall

update the Commission's service address for Operator as necessary, and shall complete a certificate

of service for this Order that certifies both this Order and the June 24, 2021, order were served.

B. The prehearing conference in this matter is rescheduled for Thursday, August 5,

**2021, at 3:00 p.m.** by telephone. The conference call information remains: telephone number: (866)

620-7326, Conference Code PIN: 3902542751.

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: July 21, 2021

Is Jonathan R. Myers

Jonathan R. Myers **Presiding Officer** 

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## **CERTIFICATE OF SERVICE**

## 21-CONS-3253-CPEN

١,	the undersigned,	certify that a t	rue copy of the	attached Order	has been served to	he following by means of

first class mail and electronic service on 07/21/2021

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A copy of this Order and the Commission's Order dated June 24, 2021 have been mailed to:

ROBERT E. HOUSEL 5226 CR 5700 CHERRYVALE, KS 67335

/S/ Desirae Mayfield

Desirae Mayfield