

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

Before Commissioners: Shari Feist Albrecht, Chair
 Thomas E. Wright
 Jay Scott Emler

In the matter of the failure of B-C Steel, LLC)	Docket No. 14-CONS-234-CPEN
("Operator") to comply with K.A.R. 82-3-111)	
at the Ankrom #1, Ankrom #5, Ankrom #6,)	CONSERVATION DIVISION
Ankrom #7 and Ankrom #8 wells in Cowley)	
County, Kansas.)	License No. 33711

**ORDER GRANTING MOTION TO CONTINUE THE HEARING AND DESIGNATING
PREHEARING OFFICER**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On October 31, 2013, the Commission issued a Penalty Order against B-C Steel, LLC (B-C Steel) for violations of K.A.R. 82-3-111 and ordered B-C Steel to plug five wells on the Ankrom Lease located in Cowley County, Kansas.¹

2. On December 3, 2013, B-C Steel filed a Request for Hearing on the Penalty Order, stating it had never operated the wells at issue or physically entered the leasehold property on which the wells are located.² The Commission set a hearing for February 21, 2014.³

3. On January 23, 2014, B-C Steel filed a motion to join former leaseholders that had operated the wells at issue, and to continue the hearing scheduled for February 21, 2014.⁴ Specifically, B-C Steel moves to join Cudd Operating Corp. (Cudd) and Ronnie Whiteman d/b/a

¹ Penalty Order, Oct. 31, 2013, ¶ B.

² Request for Hearing, Dec. 3, 2013.

³ Order Setting Hearing, Jan. 15, 2014, ¶ 3.

⁴ Motion to Join Parties and Continue Hearing, Jan. 23, 2014, ¶ 4.

Gen-Dor Oil Co. (Whiteman) as necessary parties to determine the party or parties responsible for plugging the wells.⁵

4. On January 24, 2014, Commission Staff (Staff) filed a response to B-C Steel's Motion, requesting the Commission indefinitely postpone the scheduled hearing to allow the parties and the Commission to determine whether there are additional parties responsible for the abandoned wells.⁶ Staff requests a continuance to spare the parties from having to file unnecessary pre-filed testimony.⁷

5. For good cause, the Commission may continue any hearing.⁸ The Commission finds it is in the interests of justice to continue the hearing to allow all necessary parties to participate in the docket. Accordingly, the Commission grants B-C Steel's Motion to Continue the Hearing. B-C Steel shall provide notice to Cudd and Whiteman of its Motion to Join Parties.

6. The Commission designates Brian G. Fedotin, Advisory Counsel, 1500 SW Arrowhead Road, Topeka, KS 66604-4027, telephone number (785) 271-3105, b.fedotin@kcc.ks.gov, to serve as Prehearing Officer in this proceeding.⁹ The prehearing officer may conduct any prehearing conferences necessary to address any matters appropriately considered in a prehearing conference, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). The Commission may designate other staff members to serve in this capacity.

⁵ *Id.*, ¶¶ 2-3, 5.

⁶ Staff's Response to B-C Steel's Motion to Join Parties and Continue Hearing, Jan. 24, 2014, ¶ 2.

⁷ *Id.*, ¶ 3.

⁸ K.A.R. 82-1-226.

⁹ K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551(c).

THEREFORE, THE COMMISSION ORDERS:

A. The hearing and related filing deadlines¹⁰ are postponed to allow the inclusion of all necessary parties. The prehearing officer will issue a procedural schedule setting a new hearing date.

B. B-C Steel shall provide notice to Cudd and Whiteman of its Motion to Join Parties within 20 days of the date this Order is served.

C. The Commission designates Brian G. Fedotin to serve as Prehearing Officer.

D. The parties have 15 days from the date this Order was served, plus three days if served by mail, to petition for reconsideration.¹¹

E. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Wright, Commissioner; Emler, Commissioner.

Dated: 2-6-2014



Kim Christiansen
Executive Director

BGF/rs

¹⁰ See K.A.R. 82-1-229.

¹¹ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

FEB 06 2014



CERTIFICATE OF SERVICE

I certify that on 2/7/14, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

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/s/ Jonathan R. Myers
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Litigation Counsel
Kansas Corporation Commission