

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

Before Commissioners: Shari Feist Albrecht
 Jay Scott Emler
 Pat Apple

In the Matter of the Application of Town Oil Company,) Docket No. 15-CONS-241-CUIC
Inc. to commence injection of Saltwater into the)
Squirrel Formation at the Savage Lease, located in the) CONSERVATION DIVISION
NW/4 of section 5, Township 18 South, Range 21 East,)
Franklin County, Kansas) License No.: 6142

**STAFF’S RESPONSE IN THE SUPPORT OF THE APPLICANT’S MOTION TO HOLD
PROTESTANTS IN DEFAULT AND DISMISS PROTESTANTS**

On November 19, 2014, Town Oil Company moved to dismiss the protestants in this matter for several reasons. Staff filed its response in support of this Motion on November 20, 2014. Staff continues to support dismissal for the reasons in the motion and Staff’s response.

On December 16, 2014, Town Oil Company moved the Commission to hold the protestants in default for having failed to prefile testimony as required. Staff fully supports this motion. Prefiled testimony is required in Commission proceedings by K.A.R. 82-3-229 and by a specific Commission Order in this proceeding. The protestants’ failure to participate in these proceedings constitutes default, and they should be dismissed from this matter.

Respectively Submitted,



Lane R. Palmateer, #23661
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Ste. 220
Wichita, Kansas 67202
316-337-6200 phone
316-337-6106 fax
l.palmateer@kcc.ks.gov

CERTIFICATE OF SERVICE

I certify that on 12/17/2014, 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:

Jeffrey A. Wilson
Anderson & Byrd, LLP
216 S. Hickory, P.O. Box 17
Ottawa, KS 66067
Attorney for Town Oil Company

Terry and Alana Groshong
P.O. Box 13061
Overland Park, KS 66282

Mark & Rebecca Enright
4409 Hamilton Terrace
Rantoul, KS 66079

And delivered by hand to:

Jon Myers, Alan Snider, Tony Vail
Conservation Division Central Office

/s/ Lane R. Palmateer
Lane R. Palmateer
Litigation Counsel
Kansas Corporation Commission