

IV. CONCLUSIONS OF LAW

5. Based upon the above facts, the Commission finds that the May 3, 2013, Penalty Order in this docket should be rescinded.

THEREFORE, THE COMMISSION ORDERS:

A. The Penalty Order issued in this docket is rescinded.

B. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: MAY 22 2013



Patrice Petersen-Klein
Executive Director

Mailed Date: 5-22-2013

LRP

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

MAY 22 2013



CERTIFICATE OF SERVICE

I certify that on 5-22-2013, I caused a complete and accurate copy of this Order to Rescind to be served via United States mail, with the postage prepaid and properly addressed to the following:

Sharlet Ginther
Ginther Oil, Inc.
449 E. 5th Street
Russell, Kansas 67665-3203

Milton Ginther
Resident Agent for Ginther Oil, Inc.
541 Lakeview Lane
Russell, Kansas 67665

David Wann
KCC District #4

And delivered by hand to:

Alan Snider
Conservation Division Central Office

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