THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Dwight D. Keen, Chair Shari Feist Albrecht Susan K. Duffy

In the matter of the failure of Oil Producers,) Inc. of Kansas ("Operator") to comply with) K.A.R. 82-3-407 at the Fitzgerald #3 in) Kingman County, Kansas. Docket No: 20-CONS-3134-CPEN CONSERVATION DIVISION

License No: 8061

PREHEARING OFFICER ORDER REGARDING ELECTRONIC SERVICE

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

1. On November 7, 2019, the Commission issued a *Penalty Order* against Oil Producers Inc. of Kansas (Operator) for one violation of K.A.R. 82-3-407 because a current and successful mechanical integrity test had not been performed on the Fitzgerald #3 well.¹

2. On December 10, 2019, Operator requested a hearing.²

3. At a January 7, 2020, prehearing conference, all parties consented to the electronic service of all documents³ and orders.⁴ Therefore, the Prehearing Officer directs that service of all documents and orders may be made by email. To the extent practicable, any electronically served document or order shall be attached to the email and served in pdf format. Service of orders is complete upon transmission.⁵ Parties are encouraged to make sure large pdf files do not result in delivery failure and to work together to resolve any email-based service issues.

¹ See Penalty Order, ¶¶ 8, 13 (Nov. 7, 2019).

² See Letter Requesting Hearing (Dec. 10, 2019).

³ See K.S.A. 77-519; Amended Order Authorizing Use of Electronic Service, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁴ See K.S.A. 77-531.

⁵ See K.S.A. 77-531(b).

- 4. As of this date, these are the email addresses for the parties and prehearing officer:⁶
 - a. Commission Staff: Michael Glamann, m.glamann@kcc.ks.gov,
 - b. Operator: Charles E. Millsap, cmillsap@fleeson.com; and
 - c. Prehearing Officer: Jonathan R. Myers, j.myers@kcc.ks.gov.⁷

5. The Prehearing Officer notes that filing of documents with the Commission must still be done either through the Commission's "e-filing express" system, or by mail or hand delivery to the Commission.⁸ The Prehearing Officer orders that if a document is filed by mail or hand delivery, only the original copy must be supplied.⁹ The Commission, however, strongly encourages parties to file through the "e-filing express" system.¹⁰

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: January 7, 2020

<u>Isl Jonathan R. Myers</u>

Jonathan R. Myers Prehearing Officer

JRM

⁶ Parties, through counsel, have consented to service of orders only through counsel. See K.S.A. 77-531(a).

⁷ See Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause A (Dec. 17, 2019).

⁸ See Amended Order Authorizing Use of Electronic Filing, Dkt. 14-GIMX-280-MIS (Jul. 31, 2014).

⁹ See id., ¶ 3.

¹⁰ *Id.*, ¶ 4.

CERTIFICATE OF SERVICE

20-CONS-3134-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail and electronic service on $_01/07/2020$

CHARLES E. MILLSAP, ATTORNEY FLEESON, GOOING, COULSON & KITCH, L.L.C. 1900 EPIC CENTER, 301 N. MAIN PO BOX 997 WICHITA, KS 67201-0997 Fax: 316-267-1754 cmillsap@fleeson.com

MICHAEL GLAMANN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 m.glamann@kcc.ks.gov

RENE STUCKY KANSAS CORPORATION COMMISSION 266 N. Main St., Ste. 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 r.stucky@kcc.ks.gov DANIEL FOX, COMPLIANCE OFFICER, KCC DISTRICT 2 KANSAS CORPORATION COMMISSION DISTRICT OFFICE NO. 2 3450 N. ROCK RD BLDG 600 STE 601 WICHITA, KS 67226 Fax: 316-630-4005 d.fox@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

MELODY C. FLETCHER OIL PRODUCERS, INC. OF KANSAS 1710 WATERFRONT PKWY WICHITA, KS 67206-6603

/S/ DeeAnn Shupe DeeAnn Shupe