## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair

Jay Scott Emler Dwight D. Keen

In the Matter of the Application of John	)	Docket No: 18-CONS-3212-CMSC
Douglas Pitman Revocable Trust ("Operator")	)	
for an Operator's License Renewal.	)	CONSERVATION DIVISION
	)	
	)	License No: 33991
	,	Electrice 1.0. 55771

# ORDER GRANTING MOTION TO RESCIND ORDER DENYING APPLICATION FOR LICENSE AND CLOSING DOCKET

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

- 1. On November 16, 2017, the Commission issued an *Order Denying Application for License*.<sup>1</sup> The Order denied the Operator's license on the basis of Commission Conservation Staff's (Staff) assertion that the Operator's Application did not meet the requirements of K.S.A. 55-155 and K.A.R. 82-3-120.<sup>2</sup>
  - 2. On November 28, 2017, the Operator filed a Request for Hearing.
- 3. On February 7, 2018, Staff filed a Motion to Rescind Order Denying Application for License, asserting Staff's conclusion that the Operator's Application now meets the requirements of K.S.A. 55-155 and K.A.R. 82-3-120.<sup>3</sup> Staff, therefore, requested the Commission rescind its November 16, 2017 *Order Denying Application for License* and close this docket.<sup>4</sup>

<sup>3</sup> Motion to Rescind Order Denying Application for License, ¶ 4 (Feb. 7, 2018).

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<sup>&</sup>lt;sup>1</sup> Order Denying Application for License (Nov. 16, 2017).

 $<sup>^{2}</sup>$  Id. at ¶¶ 4. 7

<sup>&</sup>lt;sup>4</sup> *Id*. at p. 2.

4. Given Staff's recommendation that the Operator's Application now comports with K.S.A. 55-155 and K.A.R. 82-3-120, the Commission finds rescission of its *Order Denying Application for License* is in the public interest.

#### THEREFORE, THE COMMISSION ORDERS:

- A. The *Order Denying License Application* is rescinded and the docket is closed.
- B. The parties have fifteen (15) days, plus three (3) days if mailed service, in which to petition the Commission for reconsideration.<sup>5</sup>
- C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such orders as it may deem necessary.

#### BY THE COMMISSION IT IS SO ORDERED.

MJD

Albrecht, Ch	nair; Emler, Commissio	oner; Keen, Commissioner		" D.+
Dated:05	5/10/2018		Fyn	M. Ref
		Lynn M.		
		Secretary	to the Com	mission
Mailed Date	:05/11/2018			

<sup>&</sup>lt;sup>5</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 77-529(a)(1); see K.S.A. 66-118b.

### **CERTIFICATE OF SERVICE**

#### 18-CONS-3212-CMSC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of				
first class mail and electronic service on05/10/	<u>/2018</u>			
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/S/ DeeAnn Shupe DeeAnn Shupe