

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the matter of the Application of Apollo Energies,) Docket No. 14-CONS-030-CEXC
Inc. for an exception to the 10-year time limitation)
of K.A.R. 82-3-111 for its Southwestern College) CONSERVATION DIVISION
#11 well located in the W/2 E/2 NW of Section 3,)
Township 26 South, Range 16 West, Edwards) License No. 30481
County, Kansas.)

MOTION TO SET MATTER FOR HEARING

The Staff of the Kansas Corporation Commission moves the Commission for an Order setting this matter for hearing, including the designation of a prehearing officer and the setting of a date for a prehearing conference, for the following reasons:

1. Temporary Abandonment status is not available for the captioned well, because the well has been inactive for longer than 10 years.
2. On July 11, 2013, Apollo applied for an exception to the 10-year limit on TA status. Commission records indicate the well passed a casing integrity test on November 15, 2013. The application has been protested by Southwestern College.
3. David W. Andreas is counsel for Southwestern College and filed the protest. Thomas Schnittker of Schnittker Ag. Services has corresponded with Apollo regarding this well and unrelated spill/remediation issues on the lease. Formal proceedings have been delayed due to the prospect of a settlement. At this time, it does not appear that there is a settlement.
4. Staff requests the Commission designate a prehearing officer and set this matter for prehearing conference. Counsel for Apollo and Southwestern College should attend the

prehearing conference and discuss whether any settlement can be reached, and the matter should be set for an evidentiary hearing at that time.

WHEREFORE, Staff moves the Commission to designate a prehearing officer, set this matter for prehearing conference, and then set the matter for an evidentiary hearing if needed.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that on 1/30/15, 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:

Jim Byers
Apollo Energies, Inc.
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David W. Andreas
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And delivered by hand to:

Jon Myers, Litigation Counsel

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