

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

Before Commissioners:                      Dwight D. Keen, Chair  
    Shari Feist Albrecht  
    Jay Scott Emler

In the Matter of the Application of Berexco    )   Docket No: 19-CONS-3269-CUNI  
LLC for an Order Authorizing Unitization and    )  
Unit Operation of the Arroyo Unit in Stanton    )   CONSERVATION DIVISION  
County, Kansas.                                        )  
\_\_\_\_\_)   License No: 34318

**PREHEARING OFFICER ORDER SETTING PROCEDURAL SCHEDULE**

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 February 8, 2019, Berexco LLC filed an application for an order authorizing the unitization and unit operation of the Arroyo Unit in Stanton County, Kansas, pursuant to K.S.A. 55-1301, *et seq.*<sup>1</sup>

2.       At an April 25, 2019, prehearing conference, all parties agreed to the following procedural schedule:

Operator Pre-Filed Direct Testimony	Due: N/A – Already Submitted
Commission Staff Pre-Filed Direct Testimony	Due: May 3, 2019
Discovery Cut-Off	Due: May 3, 2019
Rebuttal Testimony	Due: May 10, 2019
<u>Evidentiary Hearing before the Commission</u>	May 16, 2019, 10:00 a.m.
266 N. Main, Suite 220, Wichita, Kansas 67202	

3.       Failure to submit pre-filed testimony may result in the Commission restricting the right to testify and present evidence at the evidentiary hearing. At the hearing, the Commission may limit the parties' direct and rebuttal testimony to the pre-filed testimony.

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<sup>1</sup> See Application (Feb. 8, 2019).

4. Any settlement agreement the parties wish to present for Commission consideration shall be due by May 6, 2019.

5. Any person requiring special accommodations under the Americans with Disabilities Act should notify the Commission at least 10 days before the scheduled hearing date.

6. Any party who fails to attend or participate in the evidentiary hearing or any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act.<sup>2</sup>

7. A corporation shall appear before the Commission by a Kansas licensed attorney.<sup>3</sup>

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

A. The procedural schedule set forth in Paragraph 2 above is adopted.

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

**BY THE PREHEARING OFFICER IT IS SO ORDERED.**

Dated: April 26, 2019

JRM

/s/ Jonathan R. Myers

Jonathan R. Myers  
Prehearing Officer

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<sup>2</sup> K.S.A. 77-518(c)(8); K.S.A. 77-520.

<sup>3</sup> K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

**CERTIFICATE OF SERVICE**

19-CONS-3269-CUNI

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 04/26/2019.

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/s/ DeeAnn Shupe  
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DeeAnn Shupe