

**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 Failure of SX54, LLC )	Docket No: 18-CONS-3286-CPEN
("Operator") to Comply with K.A.R. 82-3-407 )	
at the Hawthorne (A) #1 in Greenwood )	CONSERVATION DIVISION
County, Kansas. )	
_____ )	License No. 35339

**PREHEARING OFFICER ORDER CANCELLING EVIDENTIARY HEARING**

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 March 29, 2018, the Commission issued a *Penalty Order* against SX54, LLC (Operator) for failure to comply with K.A.R. 82-3-407 because a current successful Mechanical Integrity Test (MIT) had not been performed on the subject well.<sup>1</sup>
2. On April 20, 2018, the Operator filed a request for hearing.
3. On April 25, 2018, an Entry of Appearance was filed by Blake Hudson on behalf of the Operator.
4. On September 20, 2018, the Commission issued an *Order Setting Procedural Schedule*, providing deadlines for filing testimony and scheduling an evidentiary hearing for November 15, 2018.<sup>2</sup>

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<sup>1</sup> *Penalty Order*, ¶ 13 (Mar. 29, 2018).

<sup>2</sup> *Order Setting Procedural Schedule*, ¶ 4 (Sept. 20, 2018).

5. On November 6, 2018, the Operator filed a Notice of Withdrawal of Request for Hearing, withdrawing its request for a hearing on the *Penalty Order* issued in this docket.<sup>3</sup>

6. Based on the Operator's withdrawal of its request for a hearing, the Prehearing Officer finds no further proceedings are necessary, and no testimony need be filed. Moreover, the November 15, 2018 evidentiary hearing shall be cancelled.

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

A. No further proceedings are necessary, and the evidentiary hearing scheduled for November 15, 2018 is cancelled.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>4</sup>

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

Dated: November 8, 2018

/s/ Michael J. Duenes

Michael J. Duenes  
Prehearing Officer

MJD

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<sup>3</sup> Notice of Withdrawal of Request for Hearing, p. 1 (Nov. 6, 2018).

<sup>4</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

## CERTIFICATE OF SERVICE

18-CONS-3286-CPEN

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 on 11/08/2018.

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