

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

2015-07-22 13:38:15
Kansas Corporation Commission
/s/ Amy L. Gilbert

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

In the matter of the failure of Torchlight)	Docket No.: 15-CONS-638-CPEN
Energy Operating, LLC ("Operator") to)	
comply with K.A.R. 82-3-111 at the Hoffman)	CONSERVATION DIVISION
#1-25 in McPherson County, Kansas.)	
<hr/>) License No.: 35023

**ORDER DESIGNATING PREHEARING OFFICER
AND SETTING PREHEARING CONFERENCE**

1. On February 12, 2015, the Commission issued the Penalty Order in this docket, finding one violation of K.A.R. 82-3-111 and assessing a \$100 penalty. No appeal was filed.
2. On June 2, 2015, the Commission issued a second Penalty Order in this docket due to noncompliance at the Hoffman #1-25 and the existence of four additional unplugged wells on the operator's license. The second Penalty Order assessed a \$10,000 penalty and directed Staff to plug the wells if a deadline was not met.
3. On June 26, 2015, the operator appealed the second Order through counsel.
4. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b), and that a prehearing conference should be scheduled.

THEREFORE, THE COMMISSION ORDERS:

- A. The Prehearing Officer in this proceeding shall be Lane R. Palmateer, Counsel, Kansas Corporation Commission, 266 N. Main, Ste. 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address l.palmateer@kcc.ks.gov.

B. A Prehearing Conference is scheduled for Tuesday, August 4, 2015. The Prehearing Conference shall begin at 11:00 a.m. and end by 12:00 p.m., at the Commission's offices, 266 N. Main St., Ste. 220, Wichita, Kansas 67202. Telephonic attendance may be permitted upon advance request. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be held in default under the KAPA.

E. Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it shall be held in default under the KAPA.

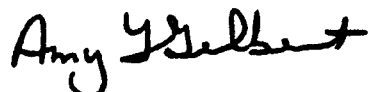
F. The attorney designated to appear on behalf of the agency in this proceeding is Jon Myers, Litigation Counsel, telephone number 316-337-6200, email j.myers@kcc.ks.gov.

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

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: JUL 21 2015



Amy L. Gilbert
Secretary

Mailed Date: July 22, 2015

LRP

CERTIFICATE OF SERVICE

I certify that on July 22, 2015, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Jon Schlatter
Morris Laing et al.
300 N. Mead, Suite 200
Wichita, Kansas 67202
Attorney for Torchlight Energy Operating, LLC

David Arndt and Roger N. Wurtele
Torchlight Energy Operating, LLC
5700 Plano Parkway, Suite 3600
Plano, Texas 75093

Willard McAndrew III
Torchlight Energy Operating, LLC
5700 Plano Parkway, Suite 3600

Incorp Services, Inc.
534 S. Kansas Avenue, Suite 1000
Topeka, Kansas 66603
Registered Agent for Torchlight Energy Operating, LLC

John Brda
Torchlight Energy Operating, LLC
1425 Frontenay Court
St. Louis, Missouri 63122

Dan Fox
KCC District #2
3450 N. Rock Road, Bldg. 600, Suite 601
Wichita, Kansas 67226

/s/ Paula Murray
Paula Murray
Legal Assistant
Kansas Corporation Commission