

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

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

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

ORDER DENYING APPLICATION FOR LICENSE

The above captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission") for consideration and determination. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. JURISDICTION

1. Pursuant to K.S.A. 55-155, the Commission is authorized to license operators and contractors as defined by K.S.A. 55-150.
2. K.S.A. 55-155 and K.A.R. 82-3-120 outline requirements of the applicant seeking a license or renewed license.

II. STAFF'S STATEMENT OF FACTS

3. On August 27, 2017, Operator submitted an application for license renewal.
4. Upon review of the application, Staff determined the application does not meet the requirements of K.S.A. 55-155 and K.A.R. 82-3-120. Specifically, the application does not satisfy K.S.A. 55-155(c)(4) as available records demonstrate Operator is associated with John Pitman Estate, License #8704, which is an operator out of compliance with K.S.A. Chapter 55.

5. On September 12, 2017, the Conservation Division mailed Operator a letter notifying Operator of the deficiencies in its application, a copy of which is attached to this Order as Attachment A and hereby incorporated by reference. The letter provided Operator with a detailed explanation of Staff's basis for recommending denial of the Operator's license application, and required a response by September 22, 2017. To date, Operator has not provided a satisfactory response.

III. STAFF'S RECOMMENDATION

6. Staff recommends the subject application be denied.

IV. CONCLUSIONS OF LAW

7. Based on the available facts, the Commission finds Operator's application does not meet the requirements of K.S.A. 55-155 and K.A.R. 82-3-120, and Staff's recommendation to deny Operator's application is reasonable.

8. Pursuant to K.A.R. 82-3-120(i), denial of Operator's application for license constitutes a summary proceeding under K.S.A. 77-537.

THEREFORE, THE COMMISSION ORDERS THAT:

(A) The Operator's license application is hereby denied.

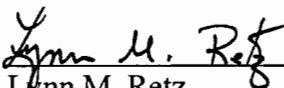
(B) Pursuant to K.S.A. 77-537 and 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Secretary, at 266 N. Main, Suite 220, Wichita, Kansas 67202 within fifteen (15) days from the date of service of this Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. If no hearing is requested, this summary order shall become final effective upon the expiration of the time for requesting a hearing.

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

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: NOV 16 2017



Lynn M. Retz
Secretary to the Commission

Mailed Date: November 16, 2017

JRM

Conservation Division
266 N. Main St., Ste. 220
Wichita, KS 67202-1513



Phone: 316-337-6200
Fax: 316-337-6211
<http://kcc.ks.gov/>

Pat Apple, Chairman
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

Sam Brownback, Governor

**ACTION REQUIRED:
POSSIBLE LICENSE DENIAL**

September 12, 2017

John Douglas Pitman Revocable Trust
Attn: Jonathan Pittman
6701 N. Broadway #300
Oklahoma City, OK 73116

RE: License # 33991

Operator:

Commission Staff is in receipt of your August 27, 2017 license renewal application. Your application will be denied pursuant to K.S.A. 55-155(c)(4) due to your association with entities that are not in compliance with Commission statutes, regulations, and orders, if further clarifying information is not received by September 22, 2017.

Specifically, available records identify an association with John Pitman Estate, License #8704 ("Associated Entity") which is not in compliance with all requirements of K.S.A. Chapter 55 as Associated Entity has an unplugged well remaining on its expired license. Under K.S.A. 55-155(c)(4), no application or renewal shall be approved until the applicant has demonstrated to the Commission's satisfaction that Operator complies with all requirements of K.S.A. Chapter 55.

Please respond either confirming the association or providing information clarifying the Staff's understanding of the association no later than September 22, 2017 to avoid license denial.

Sincerely,

Cyndee Maine
Administrative Assistant

CERTIFICATE OF SERVICE

I certify that on 11/16/17, 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:

Jonathan Pitman
John Douglas Pitman Revocable Trust
6701 N. Broadway, #300
Oklahoma City, OK 73116

J. R. Horst
P.O. Box 560
Caney KS 67333

and delivered by e-mail to:

Jonathan R. Myers, Litigation Counsel
Cyndee Maine
KCC Central Office

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