

**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 Application of Richlan ) Docket No. 19-CONS-3066-CEXC  
Drilling for an exception to the 10-year time )  
limitation of K.A.R. 82-3-111 for its ) CONSERVATION DIVISION  
Schneweis 9 well located in the NW/4 of )  
Section 05, Township 17 South, Range 11 ) License No. 31086  
West, Barton County, Kansas. )

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

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds the following:

1. On August 13, 2018, Richlan Drilling (Operator) filed an Application seeking an exception to the 10-year time limitation of K.A.R. 82-3-111 for the Schneweis #9 well in Barton County, Kansas.<sup>1</sup>
2. On August 10, 2018, the Operator published notice of its Application in The Great Bend Tribune newspaper<sup>2</sup> and on August 16, 2018, published notice of its Application in The Wichita Eagle newspaper.<sup>3</sup>
3. On October 2, 2018, Commission Conservation (Staff) filed a Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference (Motion).<sup>4</sup> Staff stated a letter had been sent to the Operator on August 31, 2018, requiring the Operator to submit a supplemental certificate of service and conduct a successful, Staff-witnessed mechanical integrity test

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<sup>1</sup> Application, p. 1 (Aug. 13, 2018).

<sup>2</sup> Proof of Publication – The Great Bend Tribune, p. 1 (Aug. 21, 2018).

<sup>3</sup> Affidavit of Publication – The Wichita Eagle, p. 1 (Aug. 21, 2018).

<sup>4</sup> Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference (Oct. 2, 2018).

(MIT) by September 30, 2018.<sup>5</sup> Staff stated the Operator has failed to comply with the deadline provided in the letter.<sup>6</sup> Staff further acknowledged it may have additional concerns regarding the Application and thus believes it appropriate for the docket to be set for an evidentiary hearing.<sup>7</sup>

4. 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 a Prehearing Conference should be scheduled.

5. Although a Prehearing Officer is designated, parties are still required to file pleadings with the Commission, and filings shall be made with the Commission's Docket Room before 5:00 p.m. on the date scheduled for service. Any electronic service received after the deadline set forth in the procedural schedule, or any filing made after 5:00 p.m. on the date scheduled for service, shall be accompanied by a Motion to File Out-of-Time.

**THEREFORE, THE COMMISSION ORDERS:**

A. The Prehearing Officer in this proceeding shall be Michael J. Duenes, Assistant General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604-4027, telephone number (785) 271-3181, email address [m.duenes@kcc.ks.gov](mailto:m.duenes@kcc.ks.gov). The Commission may designate other Staff members to serve in this capacity. **The Commission directs electronic service of all filings in the docket to include service on the Prehearing Officer and mailed service of all filings to be directed to the Prehearing Officer's attention.**

B. A Prehearing Conference is scheduled for **Thursday, October 25, 2018, at 11:00 a.m.** by telephone. The conference call information is: telephone number (866) 620-7326, Conference Code PIN: 7632914771#.

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<sup>5</sup> Motion, ¶ 4.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*, ¶¶ 5-6.

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 may be held in default under the KAPA.<sup>8</sup>

E. A corporation shall appear before the Commission by a Kansas licensed attorney.<sup>9</sup>


F. The attorney designated to appear on behalf of the agency in this proceeding is Lauren Wright, Litigation Counsel, telephone number (316) 337-6200, [l.wright@kcc.ks.gov](mailto:l.wright@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; Keen, Commissioner

Dated: 10/09/2018

  
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Lynn M. Retz  
Secretary to the Commission

Mailed Date: 10/10/2018

MJD

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<sup>8</sup> K.S.A. 77-506; K.S.A. 77-516(c)(7)-(8).

<sup>9</sup> K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

**CERTIFICATE OF SERVICE**

19-CONS-3066-CEXC

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 10/09/2018.

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