Kansas Corporation Commission
Commission Meeting
June 4, 2024 @ 9:33 am
KCC Offices, 1500 SW Arrowhead Rd., Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 9:33 a.m. on June 4, 2024, at the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

Present: Chairperson French, Commissioner Keen and Commissioner Kuether. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Keen moved for approval of the Items on the Consent Agenda dated June 4, 2024, containing pages one through four, attached to the Minutes. Commissioner Kuether seconded the motion.

   The motion was approved.

2. **Noticed Item:**

A. Docket No. 24-UTET-768-COM
In the Matter of the Complaint Against Brightspeed by Mike Hart.

Commissioner Keen moved to approve the Order on Prima Facie Determination. Commissioner Kuether seconded the motion.

The order was approved.

B. Docket No. 24-EKSE-249-CON
In the Matter of the Application of Evergy South, Inc. for Approval of the Energy Supply Agreement Between Evergy Kansas South, Inc. and Occidental Chemical Corporation.

Commissioner Keen moved to approve the Order on Staff's Report and Recommendation and Special Contract. Commissioner Kuether seconded the motion.

The order was approved.

There being no further matters before the Commission, Commissioner Kuether moved for adjournment of the Commission meeting. Commissioner Keen seconded the motion. The Commission adjourned the June 4, 2024, Commission Meeting at 9:39 a.m.

Respectfully submitted,

Lynn M. Retz, Executive Director

Andrew J. French, Chairperson

Dwight D. Keen, Commissioner

Annie Kuether, Commissioner

Kansas
Corporation Commission

ITEMS OF
Consent Agenda

Approval Date: Tuesday, June 4, 2024

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered seperately or placed on the earliest possible Business Meeting agenda for discussion.

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the matter of the failure of Utah Oil, LLC (Operator) to report activity that occurred during the 2023 calendar year in compliance with K.A.R. 82-3-409. ***Order Designating Presiding Officer and Setting Prehearing Conference***	24-CONS-3315-CPEN	
2	In the matter of the failure of Novy Oil & Gas, Inc. (Operator) to comply with K.A.R. 82-3-112 at the Patton B #2 in Scott County, Kansas. ***Order Designating Presiding Officer and Setting Prehearing Conference***	24-CONS-3320-CPEN	
3	In the Matter of the Application of Google Fiber Kansas, LLC Filing for Kansas Video Service Authorization. ***Order Approving Termination of Video Service Authorization***	12-GFKC-643-VSA	
4	In the Matter of the Application of Prairie Land Electric Cooperative, Inc. Seeking Commission Approval to Update Its Local Access Delivery Service Tariff Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. 21-SEPE-049-TAR. ***Order Granting Intervention to KPP; Setting Procedural Schedule; Protective and Discovery Order***	24-PLCE-684-TAR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of the Victory Electric Cooperative Association, Inc. Seeking Commission Approval to Update Its Local Access Delivery Service Tariff Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. 21-SEPE-049-TAR. ***Protective and Discovery Order***	24-VICE-690-TAR	
6	In the Matter of the Application of S&T Telephone Coop Association, Inc. for approval of a Tariff Revision to Change a Service Rate. ***Order Approving Tariff Revisions***	24-S&TT-745-TAR	
7	In the Matter of NuStar Pipeline Operating Partnership L.P Tariff Filing of K.C.C. No. 26. ***Suspension Order: January 17, 2025***	24-KNBP-762-TAR	
8	In the Matter of the Application of Plains Pipeline MidCon LLC, Pursuant to K.A.R. 82-10-2 for Approval of KCC No. 2.2.0 ***Order Assessing Costs***	24-PPLP-778-TAR	
9	In the Matter of the Investigation of Robert Koehler d/b/a Koehler Transportation, of Sharon Springs, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***Order Granting Staff's Motion to Vacate Penalty Order***	24-TRAM-704-UCR	
10	In the Matter of the Investigation of Jules Trucking LLC, of Lawrence, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-769-UCR	
11	In the Matter of the Investigation of CKMN Express LLC d/b/a CKMN Towing Transport & Recovery, of Leawood, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-770-UCR	
12	In the Matter of the Investigation of Elden Huff d/b/a Elden Huff Farms, of Norcatur, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-771-UCR	
13	In the Matter of the Investigation of Infinite Connections LLC, of Wichita, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-772-UCR	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of Don Sanevilay d/b/a Don Transportation, of Liberal, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-773-UCR	
15	In the Matter of the Investigation of AMG Transport Inc, of Lenexa, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-774-UCR	
16	In the Matter of the Investigation of T & S Transport LLC, of Garden City, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-775-UCR	
17	In the Matter of the Investigation of Ricardo Bonilla, of Leawood, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-776-UCR	
18	In the Matter of the Investigation of Excellence In Construction LLC, of Lansing, Kansas, regarding the violation(s) of the motor carrier safety statutes, rules and regulations and the Commission's authority to impose penalties, sanctions and/or the revocation of motor carrier authority. ***UCR Penalty Order***	24-TRAM-777-UCR	
19	Transportation orders to be approved by the Commission on the Consent Agenda. ***Transportation Economic Orders***	24-TRAM-5083-TRA	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :

Andrew J. French, Chairperson

Dwight D. Keen, Commissioner

Annie Kuether, Commissioner

Attest:

Lynn M. Retz
Executive Director

Transportation Division
1500 SW Arrowhead Road
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Kansas
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Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

Transportation Orders By Docket Number
24-TRAM-5083-TRA

Order Number	Description	Removed
20240528130747	*In the Matter of the Application of HEALZER HAY & TRUCKING LLC of NESS CITY KS for Authority for a Certificate of Public Service.* USDOT #4011954 HEALZER HAY & TRUCKING LLC of NESS CITY KS - Order Granting Application for Certificate of Public Service	
20240528153000	*In the Matter of the Emergency Suspension of Authority of MARTINEZ HAY LLC of FORT HANCOCK TX for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #4016069 MARTINEZ HAY LLC of FORT HANCOCK TX - Emergency Order Suspending Authority	
20240528153000	*In the Matter of the Emergency Suspension of Authority of FRANCISCO JAVIER GOMEZ DOMINGUEZ of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2953684 FRANCISCO JAVIER GOMEZ DOMINGUEZ of GARDEN CITY KS - Emergency Order Suspending Authority	
20240528153000	*In the Matter of the Emergency Suspension of Authority of DIRKS HARVESTING LLC of MONUMENT KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2355465 DIRKS HARVESTING LLC of MONUMENT KS - Emergency Order Suspending Authority	
20240528153000	*In the Matter of the Emergency Suspension of Authority of HENRY INDUSTRIES INC of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #721948 HENRY INDUSTRIES INC of WICHITA KS - Emergency Order Suspending Authority	
20240528153000	*In the Matter of the Emergency Suspension of Authority of ADRIAN O MARTINEZ of WICHITA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #4020254 ADRIAN O MARTINEZ of WICHITA KS - Emergency Order Suspending Authority	
20240528153000	*In the Matter of the Emergency Suspension of Authority of SPRINGFIELD DIRECT LLC of SPRINGFIELD MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #2377249 SPRINGFIELD DIRECT LLC of SPRINGFIELD MO - Emergency Order Suspending Authority	

Transportation Orders By Docket Number
24-TRAM-5083-TRA

Order Number	Description	Removed
20240529125203	*In the Matter of the Application of G & A TRUCKING LLC of GOODLAND KS for Authority for a Certificate of Public Service.* USDOT #4240545 G & A TRUCKING LLC of GOODLAND KS - Order Granting Application for Certificate of Public Service	
20240529125606	*In the Matter of the Application of ERIC A LEON of GARDEN CITY KS for Authority for a Certificate of Public Service.* USDOT #2202626 ERIC A LEON of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20240529130046	*In the Matter of the Application of ROCKIN A TRANSPORT LLC of SATANTA KS for Authority for a Certificate of Public Service.* USDOT #3223693 ROCKIN A TRANSPORT LLC of SATANTA KS - Order Granting Application for Certificate of Public Service	
20240529132826	*In the Matter of the Application of HER LLA LLC of DODGE CITY KS for Authority for a Certificate of Public Service.* USDOT #4190701 HER LLA LLC of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
20240530143619	*In the Matter of the Application of AJP TRANSPORT LLC of GARDEN CITY KS for Authority for a Certificate of Public Service.* USDOT #4240550 AJP TRANSPORT LLC of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20240530152959	*In the Matter of the Emergency Suspension of Authority of JONES TOWING LLC of ARKANSAS CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3421944 JONES TOWING LLC of ARKANSAS CITY KS - Emergency Order Suspending Authority	
20240530153000	*In the Matter of the Emergency Suspension of Authority of PRICE TRUCK LINE INC of BISMARCK ND for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #69396 PRICE TRUCK LINE INC of BISMARCK ND - Emergency Order Suspending Authority	
20240530153000	*In the Matter of the Emergency Suspension of Authority of KANSAS CONCRETE PLACEMENT LLC of WELLSVILLE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.* USDOT #3593344 KANSAS CONCRETE PLACEMENT LLC of WELLSVILLE KS - Emergency Order Suspending Authority	

Total # of Orders: 15

End of Report