

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

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

In the Matter of the Emergency Suspension of)
Operating Authority of **Salgado Lopez Cable,**)
LLC of Kansas City, Kansas, for Failure to) Docket No. 17-TRAM-188-OOS
Comply with New Entrant Safety Requirements as)
Required by the Motor Carrier Safety Statutes,)
Rules and Regulations.)

ORDER REINSTATING MOTOR CARRIER OPERATING AUTHORITY

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (Commission) upon its own motion. The Commission, being fully advised in the premises, finds as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2015 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, and amendments thereto, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2015 Supp. 66-1,108, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction.

2. Pursuant to K.S.A. 2015 Supp. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any

provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 2015 Supp. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-1 *et seq.*) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

II. BACKGROUND

4. Salgado Lopez Cable, LLC is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108 that operates commercial motor vehicle(s) in both intrastate and interstate commerce in a manner that requires authority.

5. Salgado Lopez Cable, LLC is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2285800.

6. The Commission received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration that Salgado Lopez Cable, LLC's New Entrant Registration had been revoked effective October 31, 2016 for failure to comply with safety requirements.

7. Pursuant to the above authority, on November 10, 2016, the Commission entered an Emergency Suspension of Operating Authority Order on Salgado Lopez Cable, LLC in the above-referenced docket, until such time that Staff recommended reinstatement.

III. STAFF'S RECOMMENDATION

8. On December 6, 2016, the Staff of the Transportation Division of the Kansas Corporation Commission (Staff) received notice from the U.S. Department of Transportation,

Federal Motor Carrier Safety Administration, that Salgado Lopez Cable, LLC has submitted evidence of compliance with safety requirements as required in 49 C.F.R. 385.329. As a result, the carrier's reapplication for New Entrant registration under USDOT No. 2285800 has been approved and the carrier's authority to operate in interstate operations has been reinstated. See attached FMCSA reinstatement documentation.

9. Based on the Federal Motor Carrier Safety Administration's reinstatement, it is Staff's recommendation to reinstate Salgado Lopez Cable, LLC's motor carrier operating authority in Kansas.

IV. CONCLUSIONS OF LAW

10. The Commission finds it has jurisdiction over Salgado Lopez Cable, LLC because it is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108.

11. Based on the available facts, the Commission finds that Staff's recommendation to reinstate Salgado Lopez Cable, LLC's operating authority in Kansas is reasonable.

THE COMMISSION THEREFORE ORDERS THAT:

(A) Salgado Lopez Cable, LLC's certificate, permit or license that is necessary to carry on the business of a private and/or public motor carrier in Kansas is hereby reinstated.

(B) Salgado Lopez Cable, LLC remains obligated to attend a Commission-sponsored safety seminar pursuant to the Emergency Suspension of Operating Authority Order at paragraph B., entered on November 10, 2016.

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

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: DEC 15 2016



Amy L. Green
Secretary to the Commission

AAL

Order Mailed Date

DEC 16 2016



U.S. Department of
Transportation
**Federal Motor
Carrier Safety
Administration**

GUILLERMO SALGADO
PRESIDENT
SALGADO LOPEZ CABLE LLC
2755 N 22ND ST
KANSAS CITY, KS 66104

1200 New Jersey Ave., S.E.
Washington, DC 20590
December 6, 2016

In reply refer to:
USDOT Number: 2285800

Action Required: Call to schedule a Safety Audit.

According to the Federal Motor Carriers Safety Administration's records, thirty days have elapsed since SALGADO LOPEZ CABLE LLC's US DOT New Entrant registration was revoked on October 31, 2016, based on a failure to submit to a required safety audit. Our records also indicate that SALGADO LOPEZ CABLE LLC has reapplied in accordance with 49 CFR section 385.329. SALGADO LOPEZ CABLE LLC's reapplication for USDOT New Entrant registration has been approved. However, because a safety audit has not yet been conducted, SALGADO LOPEZ CABLE LLC should contact your local State Motor Carrier Safety Assistance Program (MCSAP) office 785-296-7189 as soon as possible to schedule a safety audit. In accordance with section 49 C.F.R. § 385.337, failure to permit a safety audit to be performed may result in the revocation of SALGADO LOPEZ CABLE LLC's USDOT New Entrant registration and SALGADO LOPEZ CABLE LLC's interstate operation being placed out of service. Additionally, the refusal to submit to a safety audit may also subject a new entrant motor carrier to the penalty provisions in 49 U.S.C. 521(b)(2)(A), as adjusted for inflation.

SALGADO LOPEZ CABLE LLC's 18-month new entrant safety monitoring period restarts as of December 6, 2016. FMCSA will continue to monitor and evaluate SALGADO LOPEZ CABLE LLC's safety management practices and on-road performance to ensure SALGADO LOPEZ CABLE LLC has basic safety management controls that are operating effectively and is complying with Federal requirements including the Federal Motor Carrier Safety Regulations (FMCSRs) and applicable Federal Hazardous Materials Regulations (HMRs). Failure to comply with applicable requirements may result in the revocation of SALGADO LOPEZ CABLE LLC's USDOT New Entrant or permanent registration.

Sincerely,

Joseph P. DeLorenzo, Director, Office of
Enforcement and Compliance

CERTIFICATE OF SERVICE

17-TRAM-188-OOS

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/hand delivered on DEC 15 2016.

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GUILLERMO SALGADO, MANAGING MEMBER
SALGADO LOPEZ CABLE, LLC
2755 N 22ND ST
KANSAS CITY, KS 66104

/S/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

DEC 16 2016