



1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

Dwight D. Keen, Chair  
Shari Feist Albrecht, Commissioner  
Susan K. Duffy, Commissioner

Laura Kelly, Governor

**NOTICE OF PENALTY ASSESSMENT**  
20-TRAM-173-PEN

October 17, 2019

Charles Ethan Ball, Owner  
d/b/a Cow Chow Express  
3980 W Parallel Rd  
Garden City, KS 67846

This is a notice of a penalty assessment against Charles Ethan Ball, d/b/a Cow Chow Express (Cow Chow Express) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on October 1-2, 2019, by Kansas Corporation Commission Special Investigator Penny Fryback. Penalty amounts are assessed in accordance with the FY 2020 Uniform Penalty Assessment Matrix, approved by the Commission on July 16, 2019. For a full description of the penalty and terms and obligations, please refer to the Penalty Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:**

Cow Chow Express has been assessed a \$2,750 penalty. You have thirty (30) days from the date of service of this Penalty Order to pay the fine, unless you choose the reduced penalty option explained below. Please remit payment of \$2,750 through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

**COW CHOW EXPRESS IS A NEW ENTRANT MOTOR CARRIER AND MAY BE ELIGIBLE FOR A PENALTY REDUCTION OF FIFTY PERCENT (50%) UNDER THE FOLLOWING TERMS SET OUT IN THE ATTACHED REDUCED PENALTY AGREEMENT.**

To become eligible, you must agree to meet the terms and obligations set out in the attached Reduced Penalty Agreement to be eligible for the reduction. The Reduced Penalty Agreement must be submitted to the Litigation Division within 15 days.

**IF YOU CONTEST THE PENALTY ORDER:**

**You have the right to request a hearing if you contest the terms of the Penalty Order.** A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Charles Ethan Ball, d/b/a Cow Chow Express must file within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and mail a copy of the request for hearing to Litigation Counsel at the above address. If you do not have access to the internet, you can mail an original and seven (7) copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2018 Supp. 77-542.

**IF YOU FAIL TO ACT:**

Failure to adhere to the terms and obligations set out in the attached Penalty Order, including payment of the penalty of \$2,750 within thirty (30) days from the date of service of the Penalty Order, or in the alternative, provide a written request for a hearing within 15 days from the date of service of the Penalty Order, will result in the Order becoming final and the terms and conditions set out therein will be enforced.

Respectfully,



Ahsan A. Latif  
Litigation Counsel  
(785) 271-3118  
a.latif@kcc.ks.gov



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Topeka, KS 66604-4027

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Shari Feist Albrecht, Commissioner  
Susan K. Duffy, Commissioner

Laura Kelly, Governor

**REDUCED PENALTY AGREEMENT**

**20-TRAM-173-PEN**

Charles Ethan Ball, d/b/a Cow Chow Express (Cow Chow Express) hereby submits this Reduced Penalty Agreement for approval of a fifty percent (50%) reduction in the penalty assessed in the Penalty Order dated October 17, 2019. Cow Chow Express has agreed to comply with the following terms and obligations:

1. Cow Chow Express has submitted, within fifteen (15) days from the date of the Penalty Order this signed and dated Reduced Penalty Agreement to Litigation Counsel.
2. Cow Chow Express will, within thirty (30) days from the date of the Penalty Order, submit to Transportation Staff a Corrective Action Plan (CAP) documenting the violation(s) and describing specific and detailed information explaining its efforts and concrete steps taken to ensure the violation(s) do not occur in the future. I understand the CAP must be approved by Transportation Staff to become eligible for the 50% reduced penalty.
3. Cow Chow Express will, within thirty (30) days from the date of the Penalty Order, send an individual responsible for safety compliance to attend a Commission-sponsored safety seminar, and proof of attendance will be submitted to the Litigation Counsel.
4. Cow Chow Express will be available within eighteen (18) months from the date of the Penalty Order for a follow-up Safety Compliance Review. Transportation Staff will contact the carrier to schedule the review.

Charles Ethan Ball, d/b/a Cow Chow Express understands that if approved, an Order Amending Penalty Assessment will be issued by the Commission assessing a reduced penalty of \$1,375, and will set out the terms and conditions stated above. Once the Order Amending Penalty Assessment is issued by the Commission, Cow Chow Express will have thirty (30) days from the date of service of that Order to pay the reduced penalty assessed.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

Charles Ethan Ball, d/b/a Cow Chow Express

\_\_\_\_\_  
Charles Ethan Ball  
Owner

(This Agreement can be mailed via U.S. Mail to the address above to the attention of Ahsan Latif, Litigation Counsel, or sent via e-mail to [v.jacobsen@kcc.ks.gov](mailto:v.jacobsen@kcc.ks.gov) and [alatif@kcc.ks.gov](mailto:alatif@kcc.ks.gov).)

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

Before Commissioners:       Dwight D. Keen, Chair  
                                      Shari Feist Albrecht  
                                      Susan K. Duffy

In the Matter of the Investigation of **Charles** )  
**Ethan Ball, d/b/a Cow Chow Express, of** )  
**Garden City, KS,** Regarding the Violation of )  
the Motor Carrier Safety Statutes, Rules and ) Docket No. 20-TRAM-173-PEN  
Regulations and the Commission’s Authority to )  
Impose Penalties, Sanctions and/or the )  
Revocation of Motor Carrier Authority. )

**PENALTY ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I. JURISDICTION**

1. Pursuant to K.S.A 2018 Supp. 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, 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. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission’s jurisdiction and order a hearing on the Commission’s own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

## **II. BACKGROUND**

3. Charles Ethan Ball, d/b/a Cow Chow Express (Cow Chow Express) has common operating authority with the Commission and further operates under USDOT number 3105300.

4. Charles Ethan Ball attended a Commission-sponsored Motor Carrier Education and Safety Instructional Meeting on April 9, 2018, on behalf of Cow Chow Express.

5. Cow Chow Express is a common motor carrier which primarily hauls grain, feed, hay and salt.

6. Cow Chow Express is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction of the penalty(s) assessed below.

## **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on October 1-2, 2019, Commission Staff (Staff) Special Investigator Penny Fryback conducted a compliance review of the operations of Cow Chow Express. A copy of the safety compliance review is attached hereto as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified four (4) violation(s) of the Motor Carrier Safety Regulations.

- a. On July 1, 2019, Cow Chow Express required or permitted its driver, Victor J. Ball, to operate a CDL-required commercial motor vehicle, a 1996 International, VIN ending in 062092, GVWR 33,000 lbs., pulling a 2014 Wilson semi-trailer, VIN ending in 7707269, in interstate commerce from Holcomb, Kansas to Bergman, Arkansas. This trip is evidenced by Bill No. 010101058, dated July 1, 2019, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Cow Chow Express failed to require its driver to

complete a record of duty status. The special investigator discovered eight (8) violations of this type. The carrier's failure to require its driver to keep records of duty status for each 24-hour period using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier within 13 days of creation is in violation of 49 C.F.R. 395.8(a), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$250.

- b. On August 21, 2019, Cow Chow Express required or permitted its driver, Charles Ethan Ball, to operate a CDL-required commercial motor vehicle, a 2000 Kenworth, VIN ending in 835977, GVWR 33,000 lbs., pulling a 2014 Wilson semi-trailer, VIN ending in 64139, in interstate commerce from Dodge City, Kansas to Decatur, Arkansas. This trip is evidenced by Driver's Daily Log, dated August 21, 2019, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. At the time of this transportation, driver Charles Ethan Ball loaded meat and bone meal in Dodge City, Kansas and transported it to Decatur, Arkansas and delivered it on August 21, 2019 at 5:40 p.m. He then drove to Baxter Springs, Kansas and loaded sand at 7:50 p.m. going to Voda, Kansas. Mr ball made a false record of duty status by showing agricultural exempt on August 20, 2019 at 8:00 a.m. when he unloaded sand in Voda, Kansas until noon on August 21, 2019, wherein he showed he drove one hour and showed agricultural exempt until he loaded his next load of sand at Baxter Springs, Kansas at 7:54 p.m. on August 21, 2019. Driver Ball was

required to record his hours of service when he reached the 150 air mile radius to Decatur, Arkansas and again from Decatur, Arkansas to Baxter Springs. Cow Chow Express' falsifying records of duty status is a violation of 49 C.F.R. 395.8(e)(1), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$2,000.

- c. On July 27, 2019, Cow Chow Express required or permitted its driver, Victor J. Ball, to operate a CDL-required commercial motor vehicle, a 1996 International, VIN ending in 062092, GVWR over 33,000 lbs., pulling a 2014 Wilson semi-trailer, VIN ending in 7707269, in interstate commerce from Boulder, Colorado to McPherson, Kansas. This trip is evidenced by Driver's Daily Log, dated July 27, 2019, a copy of which is attached hereto as Attachment "D" and is hereby incorporated by reference. At the time of this transportation, Cow Chow Express' driver was on duty more than 14 hours following his last off duty period of at least 10 hours. Driver Ball drove five and three quarters hours after the 14<sup>th</sup> hour following his last 10 hour break. The carrier's failure to require its driver to cease driving at the 14<sup>th</sup> hour after coming on duty following ten (10) consecutive hours off duty is in violation of 49 C.F.R. 395.3(a)(2), adopted by K.A.R. 82-4-3, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$250.
- d. On August 29, 2019, Cow Chow Express required or permitted its driver, Charles Ethan Ball, to operate a CDL-required commercial motor vehicle,

a 2000 Kenworth, VIN ending in 835977, GVWR over 33,000 lbs., pulling a 2014 Wilson semi-trailer, VIN ending in 64139, in interstate commerce from Johnson City, Kansas to Denver, Colorado. This trip is evidenced by Invoice Number 537750, dated August 29, 2019, a copy of which is attached hereto as Attachment "E" and is hereby incorporated by reference. At the time of this transportation, Cow Chow Express had Charles Ethan Ball transport in interstate commerce (beyond the 150 air mile radius), which would have required the driver to complete his records of duty status on and Electronic Logging Device. That device was not provided by the carrier. Cow Chow Express' failure to require its driver to record his hours of service on an electronic logging device provided within the commercial motor vehicle is a violation of 49 C.F.R. 395.8(a)(1)(i), adopted by K.A.R. 82-4-3, and implemented by K.S.A. 66-1,129. Staff recommends a fine of \$250.

#### **IV. STAFF'S RECOMMENDATIONS**

8. Based upon the available facts, Staff recommends the Commission find Cow Chow Express committed four (4) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Staff recommends a civil penalty of \$2,750 for four (4) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.



10. Staff provides notice to the Commission that Charles Ethan Ball, d/b/a Cow Chow Express is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduced civil penalty. The carrier must submit to Litigation Counsel within fifteen (15) days of the date of this Penalty Order the signed and dated Reduced Penalty Agreement and Transportation Staff must approve the carrier's Corrective Action Plan (CAP).

11. Staff recommends Charles Ethan Ball, d/b/a Cow Chow Express submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future. The CAP must be approved by Transportation Staff to qualify for the fifty-percent (50%) discount.

12. Staff further recommends that a representative from Cow Chow Express attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel.

13. Finally, Staff recommends that Cow Chow Express submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

## **V. CONCLUSIONS OF LAW**

14. The Commission finds it has jurisdiction over Cow Chow Express because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

15. The Commission finds a penalty of \$2,750 should be assessed to Cow Chow Express for committing four (4) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the

Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

16. The Commission finds Cow Chow Express is a New Entrant motor carrier and may be eligible for a fifty-percent (50%) reduction in the penalty(s) assessed herein.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. Charles Ethan Ball, d/b/a Cow Chow Express, of Garden City, KS is hereby assessed a penalty of \$2,750 for four (4) violation(s) of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations. Payment of \$2,750 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty owed.

B. A representative from Cow Chow Express is ordered to attend a Commission-sponsored safety meeting within ninety (90) days from the date of this Order, and provide proof of attendance to Litigation Counsel. A schedule of dates and locations for safety seminars can be found at the Commission's website [http://www.kcc.state.ks.us/trans/safety\\_meetings.htm](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

C. Cow Chow Express must submit a Corrective Action Plan (CAP) within thirty (30) days of the date of this Penalty Order, to Transportation Staff, documenting the violation(s) described above, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

D. Cow Chow Express is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

E. If Cow Chow Express does not submit the Reduced Penalty Agreement and fails to pay the penalty of \$2,750 within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or fails to comply with the provisions of this Order, the Commission will have the right to order further sanctions, including suspension of Cow Chow Express' motor carrier operating authority without further notice. Additionally, the Commission may issue and enforce revocation of motor carrier authority and/or issue cease and desist order(s), and may order other remedies available to the Commission by law, without further notice.

F. **Pursuant to K.S.A. 2018 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought, within fifteen (15) days from the date of service of this Penalty Order.** The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, and a copy mailed to the Litigation Counsel. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Cow Chow Express' right to a hearing.

G. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil

penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2018 Supp. 66-1,142b(e) and amendments thereto.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 10/17/2019



\_\_\_\_\_  
Lynn M. Retz  
Executive Director

AAL

**ATTACHMENT "A"**

# UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 2183964  
MC/MX#:

Legal: THE IRRIGATION COMPANY LLC  
Operating (DBA):

Investigation Date:  
10/02/19

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)

Extent of Operations: Entire Operation

## Physical Address

1726 SOUTH OLIVE  
PITTSBURG, KS 66762  
United States

## Mailing Address

1726 SOUTH OLIVE  
PITTSBURG, KS 66762  
United States

## Contact Information

Contact Name:

Email:

Phone:

Fax: ()-

## Business and Financial

Business Type: Limited Liability Corporation

Gross Revenue: For Year Ending: 12/31/18

Federal Tax ID: (N)

## Operation Classification and Type

Type of Operation: Non-HM Interstate Carrier, HM Interstate Carrier

Cargo: Construction, Other (tractor and air compressor)

## Operation Classification

Private Motor Carrier

Property – Hazardous Materials

## Hazardous Materials

Which of the following hazardous materials requiring a Safety Permit does the company transport? None

Does the company have a satisfactory security program in place as required in 49 CFR Part 385, Subpart E? N/A

Is an HM Permit required by any State? No

Hazardous Materials: Class 9 Miscellaneous hazardous material = C, S, NB

Equipment			Driver Information		
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	Owned	Term Leased	Trip Leased	Drivers	
				Intrastate	Interstate
Straight Trucks	1				
Trailers	2				
				< 100 Miles	1
				>= 100 Miles	
Power units used in the U.S.: 1				Average trip leased driver/month: 0	
Percentage of time used in the U.S.: 100.0%				Drivers with CDL: 0	
				Total Drivers: 1	

**Person(s) Interviewed**

Name: PAUL A CHOWNING Title: OWNER/OPERATOR

**Questions**

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

1500 SW Arrowhead Rd  
Topeka, KS 66604-4027  
Phone (785) 271-3151

This report will be used to assess your safety compliance.

## Violations

### 1. Primary: 367.30

State Equivalent: 367

No UCR

#### Violations Discovered

Fed	State	Total
	1	1

#### Violations Checked

Fed	State	Total
	1	1

#### Example/Notes:

Carrier/Driver: Paul A Chowning Carrier stated that they have an interstate number of 2183964 and wish to keep the interstate status

#### Drivers/Vehicles

In Violation	Checked

### 2. Primary: 391.51(b)(3)

Failing to maintain road test certificate in driver's qualification file, or copy of license or certificate the motor carrier accepted as equivalent.

#### Violations Discovered

Fed	State	Total
	1	1

#### Violations Checked

Fed	State	Total
	1	1

#### Example/Notes:

Driver name, Paul A Chowning

Trip date 10-09-18

Description of violation: At the time of this trip, and the time of this review, the carrier/driver listed above had no road test or equivalent with his driver information.

#### Drivers/Vehicles

In Violation	Checked
1	1

### 3. Primary: 391.51(b)(4)

Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a)

#### Violations Discovered

Fed	State	Total
	1	1

#### Violations Checked

Fed	State	Total



1 1

**Example/Notes:**

Driver name, Paul A Chowning

Trip date.10-09-18

Description of violation: At the time of this trip, and the time of this review, the carrier/driver listed above had current MVR on his driving record in his driver file. The carrier had not maintained an MVR at least every 12 months. None Provided.

**4. Primary: 391.51(b)(5)**

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

**Drivers/Vehicles**

In Violation	Checked
1	1

**Violations Discovered**

Fed	State	Total
	1	1

**Violations Checked**

Fed	State	Total
	1	1

**Example/Notes:**

Driver name, Paul A Chowning

Trip date.10-09-18

Description of violation: At the time of this trip, and the time of this review, the carrier/driver listed above had no note relating to the annual review of the drivers record

**5. Primary: 391.51(b)(6)**

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

**Drivers/Vehicles**

In Violation	Checked
1	1

**Violations Discovered**

Fed	State	Total
	1	1

**Violations Checked**

Fed	State	Total
	1	1

**Example/Notes:**

Driver name, Paul A Chowning

Trip date.10-09-18

Description of violation: At the time of this trip, and the time of this review, the carrier/driver listed above had no certificate of violations for his driving record.

**Drivers/Vehicles**

In Violation	Checked
1	1

**6. Primary: 391.51(b)(7)**

Failing to maintain medical examiner's certificate in driver's qualification file.

**Violations Discovered**

Fed	State	Total
	1	1

**Violations Checked**

Fed	State	Total
	1	1

**Example/Notes:**

Driver name, Paul A Chowning

Trip date.10-09-18

Description of violation: At the time of this trip, and the time of this review, the carrier/driver listed above had no medical certificate in his driver file. Carrier/dri ver performed a larged sprinkler job on the Commerce Bank in Pittsburg Ks on the above date and operated the 2003 Chevrolet 1 ton and the 18 foot Utility flat trailer to haul trencher.

**Drivers/Vehicles**

In Violation	Checked
1	1

## Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory		
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory		
Factor 3: Operational = Parts 392 and 395	Satisfactory		
Factor 4: Vehicle = Parts 393 and 396	Satisfactory		
OOS Vehicles (CR). 0			
Number of Vehicles Inspected (CR) 0			
OOS Vehicles (MCMIS). 0			
Number of Vehicles Inspected (MCMIS) 0			
OOS Rate 0%			
Factor 5, Haz. Mat. = Parts 397, 171, 177 and, 180	Satisfactory		
Factor 6: Accident Factor = Recordable Rate	Satisfactory	N/A	N/A
Total Miles Operated. 23,000			
Recordable Accidents: 0			
Recordable Accidents/Million Miles 0.00			

You must take corrective actions for any violations (deficiencies) identified in the Violations section of this report

**DataQs:** If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>

**ATTACHMENT "B"**

**THE IRRIGATION COMPANY LLC**

1726 S Olive St  
Pittsburg, KS 66762 US  
theirrigationco@hotmail.com

**Invoice**

BILL TO  
Cedar Creek Landscape Mgt  
1462 West Hwy 126  
Asbury, MO 64832

INVOICE #	DATE	TOTAL DUE	DUE DATE	ENCLOSED
1759	10/09/2018	\$0.00	10/09/2018	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
10/09/2018		Commerce Bank - Pittsburg Kansas			0.00
10/09/2018		Irrigation system installation			0.00
10/09/2018					0.00
10/09/2018	<b>total materials</b>	Irrigation system installation- labor, materials and taxes included	1	6,500.00	6,500.00
Thank You				PAYMENT	6,500.00
				BALANCE DUE	<b>\$0.00</b>

PAID

**CERTIFICATE OF SERVICE**

20-TRAM-170-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of  
10/18/2019  
first class mail/hand delivered on \_\_\_\_\_.

AHSAN LATIF, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3354  
a.latif@kcc.ks.gov

PAULA. CHOWING, MANAGING MEMBER  
THE IRRIGATION COMPANY LLC  
1726 SOUTH OLIVE ST  
PITTSBURG, KS 66762  
theirrigationco@hotmail.com

/S/ DeeAnn Shupe

\_\_\_\_\_  
DeeAnn Shupe