

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

In the Matter of the Investigation of )  
**Crystal's Livestock Express, LLC, of** )  
**Pittsburg, Kansas,** Regarding the Violation )  
of the Motor Carrier Safety Statutes, Rules )  
and Regulations and the Commission's ) Docket No. 19-TRAM-424-PEN  
Authority to Impose Penalties, Sanctions )  
and/or the Revocation of Motor Carrier )  
Authority. )

**MOTION TO SUSPEND INTRASTATE MOTOR CARRIER OPERATIONS**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Crystal's Livestock Express, LLC of Pittsburg, Kansas (Crystal's Livestock or Carrier) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Crystal's Livestock is a motor carrier as defined in 49 C.F.R. Part 390.5, as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in intrastate commerce.
2. Crystal's Livestock is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 807187.
3. On April 30, 2019, the Commission issued Crystal's Livestock a penalty assessment for three (3) violation(s) of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted on April 3, 2019, by Kansas Corporation Commission Special Investigator Michael Heenan. The Crystal's Livestock paid the penalty amount of \$750 on June 3, 2019.

4. In the Penalty Order at ordering clause B., it is stated, “Further Crystal's Livestock Express, LLC must submit to one follow-up safety compliance review within the next 18 months.”

5. Special Investigator Verna Jackson has made numerous attempts to contact Crystal's Livestock to facilitate a follow-up off-site safety compliance review on its operations as a motor carrier. An initial document request letter was emailed May 14, 2020. On May 26, 2020, a second email was sent to the email address on file, as well as mailed by the US Postal Service to the address on file. Thereafter, some documents requested were partially provided by the Carrier, yet several necessary requests have been ignored and remain unfilled. A follow-up request was emailed on September 11, 2020 and a final request was emailed and mailed on September 22, 2020. No response has been received.

6. Ahsan Latif, Litigation Counsel, wrote and mailed Crystal's Livestock a letter on October 12, 2020, informing Crystal's Livestock that should it continue to resist by failing to respond, the Commission may suspend its motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against Crystal's Livestock. The letter gave Crystal's Livestock ten (10) days from the date of the letter to respond. A copy of the letter is attached hereto as Attachment “A” and is hereby incorporated by reference.

7. As of December 1, 2020, Special Investigator Verna Jackson and Litigation Counsel Ahsan Latif have not heard from Crystal's Livestock to schedule a follow-up motor carrier safety compliance review.

8. Staff asks that the Commission find Crystal's Livestock received sufficient notices of the need to schedule a follow-up safety compliance review.

9. Staff asks that the Commission find Crystal's Livestock failed to respond to several attempts to contact.

10. Staff asks the Commission find that Crystal's Livestock's resistance to respond to Special Investigator Verna Jackson's attempts to contact and Litigation Counsel Ahsan Latif's letter poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

11. Based on the presented facts, Staff requests the Commission issue an order suspending Crystal's Livestock's intrastate motor carrier authority operations until such time as Crystal's Livestock contacts Special Investigator Verna Jackson or Litigation Counsel Ahsan Latif to schedule a follow-up safety compliance review, at which time Staff will recommend the Commission issue an order of reinstatement of intrastate motor carrier operations.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Crystal's Livestock's intrastate motor carrier operations.

Respectfully submitted,

*/s/ Ahsan A. Latif*

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Ahsan A. Latif, #24709  
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For Commission Staff



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

Laura Kelly, Governor

October 12, 2020

David Crystal, President  
Crystal's Livestock Express LLC  
692 E 600 Ave  
Pittsburg, KS 66762

Re: Compliance Investigation

Dear Mr. Crystal:

The Kansas Corporation Commission is given full power, authority and jurisdiction to supervise and control motor carriers - as defined in the Kansas statutes - doing business or procuring business in Kansas, and may do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

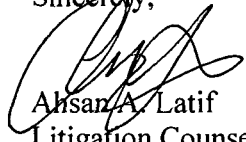
From time to time, the commission is required to carefully examine and inspect the condition of each motor carrier, its equipment, the manner of its conduct and its management with reference to the public safety and convenience. Further, the Commission has the authority to investigate an entity under the Commission's jurisdiction and order a hearing when the Commission believes the entity is in violation of the law or any order of the Commission.

Deliberate avoidance of a Commission-sponsored safety compliance review is a violation of the above-stated law and authority. Crystal's Livestock Express LLC is a motor carrier that is subject to the Commission's jurisdiction, and therefore, is required by law to submit to Commission compliance reviews.

Commission Special Investigator (SI) Verna Jackson, has made numerous attempts to facilitate a compliance review with you, to no avail. An initial document request letter was emailed May 14, 2020. On May 26, 2020 a second email was sent to the email address on file, as well as mailed by the US Postal Service to the address on file. Thereafter some documents requested were partially provided, yet several necessary requests have been ignored and remained unfulfilled. A follow-up request was emailed September 11, 2020 and a final request was emailed and mailed by US Postal Service on September 22, 2020. No response has been received. This letter therefore serves to notify you that should you continue to resist by failing to contact SI Jackson **within ten days of the date of this letter** the Commission may suspend your motor carrier operations, revoke or amend certificates, and/ or initiate sanctions or fines against you.

Thank you for your cooperation. If you have any further questions, you may contact SI Verna Jackson with the Transportation Division of the Kansas Corporation Commission at 785-271-3104.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ahsan A. Latif', written over the printed name.

Ahsan A. Latif  
Litigation Counsel

**CERTIFICATE OF SERVICE**

19-TRAM-424-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Intrastate Motor Carrier Operations was served via e-mail this 1st day of December, 2020, to the following:

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/s/ Vicki Jacobsen  
Vicki Jacobsen