

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

In the Matter of the Investigation of **Orear** )  
**Fencing LLC, of Allen, Kansas**, Regarding the )  
Violation of the Motor Carrier Safety Statutes, ) Docket No. 19-TRAM-050-PEN  
Rules and Regulations and the Commission's )  
Authority to Impose Penalties, Sanctions and/or )  
the Revocation of Motor Carrier Authority. )

**MOTION TO REINSTATE INTRASTATE MOTOR CARRIER OPERATIONS**

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission reinstate the Kansas motor carrier operations of Orear Fencing LLC of Allen, Kansas (Respondent). In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.A.R. 82-4-1, that operates commercial motor vehicle(s) in intrastate commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2846444.
3. On October 23, 2018, the Commission issued an Order suspending Respondent's intrastate motor carrier operations other than such motor carrier operations expected from the Commission's regulation under K.S.A. 2018 Supp. 66-1,129, due to non-compliance with a Penalty Order issued in this docket on August 7, 2018. The Penalty Order also assessed Respondent a \$1,200 civil fine.
4. On December 6, 2018, Respondent submitted evidence to Staff of bringing its motor carrier operation into compliance with Kansas motor carrier safety statutes, rules and

regulations pursuant to the above-referenced Penalty Order. Respondent also paid the \$1200 penalty assessment.

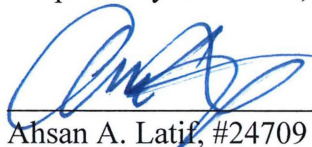
5. Therefore, Staff asks the Commission to find that Respondent has now complied with the requirements of the above-referenced Penalty Order.

6. Staff also asks the Commission to reinstate Respondent's Kansas motor carrier operations.

7. Furthermore, Staff asks the Commission to order Respondent to attend a Commission-sponsored safety seminar within ninety (90) days, pursuant to paragraph (B) of the Penalty Order, and to provide Litigation Counsel with written proof of attendance.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Respondent's Kansas motor carrier operations and ordering Respondent to attend a Commission-sponsored safety seminar within ninety (90) days, pursuant to paragraph (B) of the Penalty Order and provide Litigation Counsel with written proof of attendance.

Respectfully submitted,



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Ahsan A. Latif, #24709  
Litigation Counsel  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Kansas 66604  
(785) 271-3118 (Telephone)  
(785) 271-3124 (Facsimile)  
[a.latif@kcc.ks.gov](mailto:a.latif@kcc.ks.gov) (E-mail)  
For Commission Staff

**VERIFICATION**

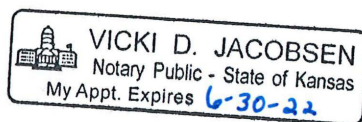
**19-TRAM-050-PEN**

STATE OF KANSAS                     )  
  ) ss.  
COUNTY OF SHAWNEE            )

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Reinstate Intrastate Motor Carrier Operations*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.

  
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Ahsan A. Latif, S. Ct. # 24709  
Litigation Counsel  
The State Corporation Commission  
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of August, 2019.



  
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Notary Public

My Appointment Expires: June 30, 2022

## CERTIFICATE OF SERVICE

19-TRAM-050-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Reinstate Intrastate Motor Carrier Operations was placed in the United States mail, postage prepaid, or hand-delivered this 1st day of August, 2019, to the following:

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

TYSON OREAR, MANAGER  
OREAR FENCING LLC  
1024 ROAD 350  
ALLEN, KS 66833-9351  
orearcowboygear@gmail.com

  
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Vicki Jacobsen