

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter the Investigation of **D & M**)
Marketing LLC of Larned, Kansas,)
Regarding the Violation(s) of the Motor)
Carrier Safety Statutes, Rules and Regulations) Docket No. 24-TRAM-258-PEN
and the Commission’s Authority to Impose)
Penalties, Sanctions and/or the Revocation of)
Motor Carrier Authority.)

ORDER DESIGNATING PRESIDING OFFICER

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. The Commission finds the following:

1. On September 26, 2023, the Commission issued a Penalty Order against D & M Marketing LLC of Larned, Kansas (D&M), assessing a \$4,500 penalty, requiring a representative of D&M to attend a Commission-sponsored safety seminar within ninety days from the date of the Penalty Order, and requiring D&M to submit to one follow-up safety compliance review within eighteen months from the date of the Penalty Order.¹

2. On February 8, 2024, a Request for Hearing requested by D&M was filed in the docket.²

3. The Commission may designate a presiding officer to conduct prehearing conferences to address any matters appropriately considered in a prehearing conference, including all items listed in K.S.A. 77-517(b) of the Kansas Administrative Procedure Act (KAPA). Accordingly, the Commission designates Kyler C. Wineinger, Assistant General Counsel, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604-

¹ Penalty Order, Sep. 26, 2023.

² Notice of Filing of Request for Hearing, Feb. 8, 2024.

4027, telephone number (785) 271-3109, k.wineinger@kcc.ks.gov, as Presiding Officer in this proceeding.³ The Commission may designate other staff members to serve in this capacity.

THEREFORE, THE COMMISSION ORDERS:

A. Kyler C. Wineinger is designated as the Presiding Officer in this docket.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner.

Dated: 04/23/2024

KCW/sc



Lynn M. Retz
Executive Director

³ K.S.A. 77-514; K.S.A. 77-516; K.S.A. 77-551.

CERTIFICATE OF SERVICE

24-TRAM-258-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 04/23/2024.

MICHAEL C. ROBINSON
BELL AND ROBINSON LLC
421 WEST 1st AVE., STE. A
HUTCHINSON, KS 67501
mike@bellandrobinson.com

RAE RAE MUNDEN, OWNER
D & M MARKETING LLC
1852 90th AVE.
LARNED, KS 67550
raeraemunden@gmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
a.latif@kcc.ks.gov

KYLER C. WINEINGER, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
k.wineinger@kcc.ks.gov

/S/ KCC Docket Room
KCC Docket Room