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APR 23 2012

by
State Corporation Commission
of Kansas

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

In the Matter of the Investigation of **John**)
C. Tipton of Meriden, Kansas, Regarding)
the Violation of the Motor Carrier Safety)
Statutes, Rules and Regulations and the) Docket No. 12-TRAM-656-PEN
Commission's Authority to Impose)
Penalties, Sanctions and/or the Revocation)
of Motor Carrier Authority.)

STAFF'S MOTION FOR CONTINUANCE

COMES NOW the Staff of the State Corporation Commission of the State of Kansas (Commission and Staff, respectively), and motions the Commission to continue the hearing currently scheduled in the above-referenced docket on May 10, 2012, at 9:00 a.m., and extend the deadlines for filing of direct testimony. In support of its Motion, Staff states as follows:

1. On March 16, 2012, the Commission entered a Penalty Order against John C. Tipton (Respondent) assessing civil penalties for violations of the motor carrier statutes, rules and regulations enforceable by the Commission
2. On March 30, 2012, Respondent filed a Request for a Hearing.
3. On April 2, 2012, Staff issued a Notice of Hearing which set the matter for hearing before the Commission on May 10, 2012, and established deadlines for prefiled testimony.

4. The continuance requested herein is necessary due to conflicts in Commissioners' schedules and their unavailability for a hearing on May 10, 2012.

5. Staff therefore requests that the hearing in this matter be continued until June 14, 2012, at 1:30 p.m.; that the filing date for the parties' prefiled direct testimony be extended to ten days prior to the extended hearing date; and that the rebuttal testimony be presented at the hearing in June.

WHEREFORE, for the reasons set forth above, Staff respectfully requests that the Commission grant this Motion for Continuance and that the hearing currently scheduled be continued until June 14, at 1:30 p.m.; that the filing date for the parties' prefiled direct testimony be extended to ten days prior to the extended hearing date; and that any rebuttal testimony of the parties be presented at the hearing in June.

Respectfully submitted,



Amber Smith, S.Ct. #23911
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For Commission Staff

VERIFICATION

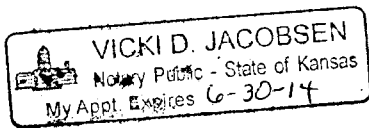
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

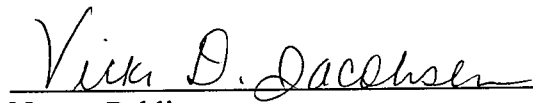
Amber Smith, of lawful age, being duly sworn upon her oath deposes and states that she is Litigation Counsel for the State Corporation Commission of the State of Kansas; that she has read and is familiar with the foregoing *Staff's Motion for Continuance* and attests that the statements therein are true to the best of her knowledge, information and belief.



Amber Smith, S. Ct. #23911
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 23rd day of April, 2012.




Notary Public

My Appointment Expires: June 30, 2014


CERTIFICATE OF SERVICE

12-TRAM-656-PEN

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff's Motion for Continuance was placed in the United States mail, postage prepaid, or hand-delivered this 24th day of April, 2012, to the following:

John C. Tipton, OWNER
John C. Tipton
9491X Rd
Meriden, KS 66512-9454

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Hand Delivered



Vicki Jacobsen