

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

In the Matter of the Investigation of **Garden City**)
Movers Expedited Freight & Delivery LLC of)
Garden City, Kansas, Regarding the Violation(s) of)
the Motor Carrier Safety Statutes, Rules and) Docket No. 21-TRAM-455-PEN
Regulations and the Commission's Authority to Impose)
Penalties, Sanctions and/or the Revocation of Motor)
Carrier Authority.

STAFF'S MOTION TO VACATE PENALTY ORDER

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Vacate the Penalty Order issued to Garden City Movers Expedited Freight & Delivery LLC. (Garden City Movers). In support of its Motion, Staff states as follows:

1. On June 15, 2021, Commission Staff UCR Manager Verna Jackson submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2020. As explained by Ms. Jackson, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On June 22, 2021, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for one (1) violation 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.²

3. On July 19, 2021, Adan Gonzalez, Owner of Garden City Movers, contacted Staff stating Carrier has not been operating and requested deactivation of its USDOT profile. Staff agreed to deactivate Carrier's USDOT profile.

¹ Staff's R&R, p. 1 (Jun. 15, 2021).

² Penalty Order in Docket No. 21-TRAM-455-PEN, ¶5.

4. Therefore, based on the fact Carrier's USDOT Profile has been deactivated and the Carrier has not been operating, Staff requests the Commission vacate the Penalty Order issued to Carrier on June 22, 2021.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission reinstate Carrier's motor carrier operations and vacate the Penalty Order issued to Garden City Movers Expedited Freight & Delivery LLC in this docket on June 22, 2021.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

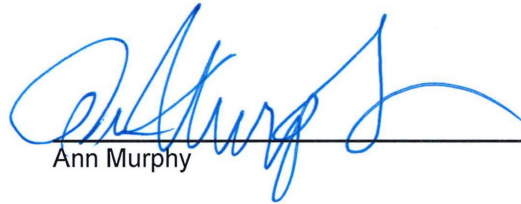
CERTIFICATE OF SERVICE

21-TRAM-455-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Vacate Penalty Order was served via first class US Mail and electronic service this 30th day of July, 2021, to the following:

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