

1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Shari Feist Albrecht, Chair  
Jay Scott Emler, Commissioner  
Pat Apple, Commissioner



Phone: 785-271-3100  
Fax: 785-271-3354  
<http://kcc.ks.gov/>

Sam Brownback, Governor

## NOTICE OF PENALTY ASSESSMENT

December 2, 2014

15-TRAM-216-PEN

Richard D. Horn, Jr., President  
EKAN Crude LLC  
403 E Broad St  
Colony, Kansas 66015

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on October 27, 2014, by Kansas Corporation Commission Special Investigator Michael Heenan. For a full description of the penalty and process please refer to the Order that is attached to this notice.

### IF YOU ACCEPT THE PENALTY:

You have been assessed a \$600 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Transportation Division of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by faxing your credit card information to the Transportation Office at 785-271-3124, using the KCC's credit card payment form found at <http://kcc.ks.gov/trans/creditcard.pdf>.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website [http://www.kcc.state.ks.us/trans/safety\\_meetings.htm](http://www.kcc.state.ks.us/trans/safety_meetings.htm).

You must submit to one follow-up safety compliance review within the next 18 months. Staff will contact you at a later date to determine an appropriate time for this review.

### IF YOU CONTEST THE PENALTY:

You have the right to request a hearing. A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215; K.S.A. 2013 Supp. 77-542.

### IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

Michael J. Duenes  
Litigation Counsel  
(785) 271-3181

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

Before Commissioners:      Shari Feist Albrecht, Chair  
                                 Jay Scott Emler  
                                 Pat Apple

In the Matter of the Investigation of **EKAN**      )  
**Crude LLC, of Colony, Kansas**, Regarding the      )  
Violation of the Motor Carrier Safety Statutes,      ) Docket No. 15-TRAM-216-PEN  
Rules and Regulations and the Commission's      )  
Authority to Impose Penalties, Sanctions and/or      )  
the Revocation of Motor Carrier Authority.      )

**PENALTY ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

**I. JURISDICTION**

1. Pursuant to K.S.A. 2013 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2013 Supp. 66-1,108, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

2. Pursuant to K.S.A. 2013 Supp. 66-1,129a, 66-1,130 and 66-1,142b, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

## **II. BACKGROUND**

4. EKAN Crude LLC (EKAN Crude) obtained common operating authority from the Commission on January 6, 2012, and operates under KSMCID number 168548 and USDOT number 2257253.

5. Richard Horn attended a Commission-sponsored Motor Carrier Education and Instructional Meeting on January 3, 2012, on behalf of EKAN Crude.

6. EKAN Crude is a common motor carrier which primarily hauls crude oil.

## **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on October 27, 2014, Commission Staff (Staff) Special Investigator Michael Heenan conducted a compliance review of the operations of EKAN Crude. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Heenan identified two (2) violations of the Motor Carrier Safety Regulations.

- a. On June 28, 2014, EKAN Crude required or permitted its driver, Richard D. Horn, Jr., to operate a commercial motor vehicle, a 2007 Kenworth, VIN ending in 171008, pulling a 1998 Trailmaster tank transport trailer, VIN ending in 13258, in intrastate commerce in and around the areas of Anderson and Crawford Counties. This trip is evidenced by trip sheets, copies of which are attached hereto as Attachment "B" and are hereby

incorporated by reference. At the time of this transportation, EKAN Crude had not made inquiry into the driving motor vehicle record (MVR) of its driver in the preceding 12 months. The MVR in Mr. Horn's driver qualification file was obtained on March 18, 2013. *See*, MVR, a copy of which is attached hereto as Attachment "C" and is hereby incorporated by reference. EKAN Crude's failure to inquire into the driving record of each of its drivers at least once every 12 months and to maintain the MVR in the driver's qualification file is a violation of 49 C.F.R. Part 391.25(a) and (c), as adopted by K.A.R. 82-4-3g, as authorized by K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine of \$100.

- b. During the transportation described in paragraph a., above, EKAN Crude had three drivers that were required to be in its drug testing program. However, the carrier's consortium had four drivers listed for possible random selection. The fourth driver, John Gillihan, had applied and was put through pre-employment drug testing that was negative, and was put into the carrier's consortium, but never actually came to work driving or otherwise because he had taken another job. The carrier failed to remove him from its random selection list. EKAN Crude's failure to ensure that each driver selected for random alcohol and controlled substance testing has an equal chance of being selected each time selections are made is in violation of 49 C.F.R. 382.305(i)(2), as adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2013 Supp. 66-1,129. Staff recommends a fine of \$500.

#### **IV. STAFF'S RECOMMENDATIONS**

8. Based upon the available facts, Staff recommends the Commission find EKAN Crude committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$600 for two (2) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that EKAN Crude be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at [http://kcc.ks.gov/trans/safety\\_meetings.htm](http://kcc.ks.gov/trans/safety_meetings.htm).

11. Finally, Staff recommends that EKAN Crude submit to one follow-up safety compliance review within the next eighteen (18) months. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

#### **V. CONCLUSIONS OF LAW**

12. The Commission finds it has jurisdiction over EKAN Crude because it is a motor carrier as defined in K.S.A. 2013 Supp. 66-1,108.

13. The Commission finds EKAN Crude committed two (2) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. EKAN Crude LLC, of Colony, Kansas is hereby assessed a \$600 civil penalty for two (2) violations 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.

B. EKAN Crude is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, EKAN Crude is ordered to submit to one follow-up safety compliance review within the next eighteen (18) months.

C. Pursuant to K.S.A. 2013 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Executive Director, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of EKAN Crude's right to a hearing, and this Penalty Order will become a Final Order assessing a \$600 civil penalty against EKAN Crude, and ordering EKAN Crude to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance, and to submit to a safety compliance review within eighteen (18) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. A corporation shall not be permitted to enter an appearance, except by its attorney.

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Transportation Division of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*


F. Failure to pay the \$600 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of EKAN Crude's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: DEC 02 2014


  
ORDER MAILED DEC 03 2014  
Thomas A. Day  
Acting Executive Director

MJD

## **ATTACHMENT “A”**



**Kansas Corporation Commission**

	<b>US DOT #</b>	<b>Legal: EKAN CRUDE LLC</b>			
	2257253	<b>Operating (DBA):</b>			
<b>MC/MX #:</b> 770289		<b>State #:</b>	<b>Federal Tax ID:</b>		<b>(EIN)</b>
<b>Review Type:</b> Compliance Review (CR)					
<b>Scope:</b> Principal Office		<b>Location of Review/Audit:</b> Company facility in the U. S.			<b>Territory:</b> C
<b>Operation Types</b>		<b>Interstate</b>	<b>Intrastate</b>	<b>Business:</b> Corporation <b>Gross Revenue:</b> for year ending: 12/27/2013	
<b>Carrier:</b>		HM	HM		
<b>Shipper:</b>		HM	N/A		
<b>Cargo Tank:</b>		N/A			
<b>Company Physical Address:</b>					
<b>Contact Name:</b> Richard D Horn Jr.					
<b>Phone numbers:</b> (1)		(2)	<b>Fax</b>		
<b>E-Mail Address:</b>					
<b>Company Mailing Address:</b>					
403 E BROAD STREET					
COLONY, KS 66015					
<b>Carrier Classification</b>					
Authorized for Hire					
<b>Cargo Classification</b>					
Other: Crude Oil					
<b>Hazardous Materials</b>					
3 Combustible liquid		<b>Carr./Ship.</b>	<b>Bulk</b>		
<b>Equipment</b>					
	<b>Owned</b>	<b>Term Leased</b>	<b>Trip Leased</b>	<b>Owned</b>	<b>Term Leased Trip Leased</b>
Truck Tractor	1	0	0	HM Cargo Tank Trailer	1 0 0
Power units used in the U.S.: 1					
Percentage of time used in the U.S.: 100					
<b>Does carrier transport placardable quantities of HM?</b> Yes					
<b>Is an HM Permit required?</b> N/A					
<b>Driver Information</b>					
	<b>Inter</b>	<b>Intra</b>	<b>Average trip leased drivers/month:</b> 0		
< 100 Miles:	3		<b>Total Drivers:</b> 3		
>= 100 Miles:			<b>CDL Drivers:</b> 3		





EKAN CRUDE LLC  
U.S. DOT #: 2257253

State #:

Review Date:  
10/27/2014

**Part A**

QUESTIONS regarding this report or the Federal Motor Carrier Safety or  
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka, Ks 66604-4027 1-785-271-3145

**This report will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Richard D Horn Jr

**Title:** President

**Name:**

**Title:**





EKAN CRUDE LLC  
U.S. DOT #: 2257253

State #:

Review Date:  
10/27/2014

### Part B Violations

1 STATE	Primary: 382.305(i)(2) CFR Equivalent: 382.305(i)(2)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 0	Checked 0
<b>Description</b> Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made. <b>Example</b> Driver name: Richard D Horn Selection date: 06-14-12 Trip date: 06-28-14 Carrier at the time of this review, had 3 drivers that were required to be in their drug testing program, however, the carrier consortium had 4 drivers listed for possible random selection. The fourth driver, John Gillihan, had applied and was put through pre employment drug test that was negative, was put into the carrier consortium, but never actually came to work driving or otherwise because he had already taken another job. The carrier failed to remove him from their random selection list. The carrier has 2 drivers employed and working at the time of this review, the 3rd driver is not actively working and is basically laid off, but is still on their drug testing consortium as he could be called back at any time.					
2 STATE	Primary: 391.51(b)(4) CFR Equivalent: 391.51(b)(4)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
<b>Description</b> Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a). <b>Example</b> Driver name: Richard D Horn Jr Trip date: 06-28-14 The carrier had 2 listed drivers. The carrier/driver above had recently hired the other driver and the other driver did in fact have a current MVR, however, the above driver had an MVR dated 03-18-13 valid through 03-18-14. At the time of the above trip, the carrier/driver had no valid MVR in his driver file.					
3 STATE	Primary: 391.51(b)(5) CFR Equivalent: 391.51(b)(5)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
<b>Description</b> Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2). <b>Example</b> Driver name: Richard D Horn Jr Trip date: 06-28-14 The carrier had 2 listed drivers. The carrier/driver above had recently hired the other driver and the other driver did in fact have the above documentation that was valid and current. However, the above carrier/driver had an annual review dated 03-19-13 to 03-19-14 which was no longer valid.					
4 STATE	Primary: 391.51(b)(6) CFR Equivalent: 391.51(b)(6)	Discovered 1	Checked 3	Drivers/Vehicles In Violation 1	Checked 3
<b>Description</b> Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. <b>Example</b> Driver name: Richard D Horn Jr Trip date: 06-28-14 The carrier had 2 listed drivers. The carrier/driver above had recently hired the other driver and the other driver did in fact have the above documentation that was valid and current. However, the above carrier/driver had a certificate of violations dated 03-19-13 to 03-19-14 which was no longer valid.					





EKAN CRUDE LLC  
U.S. DOT #: 2257253

State #:

Review Date:  
10/27/2014

### Part B Violations

#### Safety Fitness Rating Information:

Total Miles Operated 40,000  
Recordable Accidents 0  
Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 0

OOS Vehicle (MCMIS): 0

Number of Vehicles Inspected (MCMIS): 0

Your proposed safety rating is :

**SATISFACTORY**

Rating Factors	Acute	Critical
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Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	S	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.





EKAN CRUDE LLC  
U.S. DOT #: 2257253

State #:

Review Date:  
10/27/2014

### Part B Requirements and/or Recommendations

1. Each Driver Qualification File must contain a properly executed and signed Certification of Violations and a Annual Review of Driving Record completed yearly.
2. Make certain all registered drivers of CDL required vehicles are listed for the random selection process with the drug and alcohol testing consortium.
3. For all Investigations:
  - Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.
  - Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.
  - NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.
  - NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:  
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

  - All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.
4. Make certain that all drivers of commercial motor vehicles have a record check of their driving record at least every 12 months and within 30 days of their initial employment.
5. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.

The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents.

Motor carrier's currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS





EKAN CRUDE LLC  
U.S. DOT #: 2257253

State #

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10/27/2014

### Part B Requirements and/or Recommendations

results on the SMS Web site.

The data preview may be found at <http://ksa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

6. Basic: Driver Fitness  
391.51(b)(4)

Failing to maintain inquiries into drivers records in the driver qualification files at least every 12 months as per 391.25(a)

Please provide written documented proof of obtaining current Motor Vehicle Record Checks on the following drivers

Richard D Horn Jr.

Please provide current evidence or copies of Motor Vehicle Record Checks on the drivers listed above within 15 days and a letter explaining your actions to correct the violations listed in this report to the person and address listed below.

Mr Gary Davenport  
Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka, Ks 66604-4027

7. I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of [EKAN Crude LLC] operating authority and/or the impoundment of [EKAN Crude LLC] vehicles.

Carrier Signature



## **ATTACHMENT “B”**

EKAN CRUDE, LLC

K 111

Date 6/20/08

County/State LA IL

☒ First Purchase ☒ One Cargo Tank  
☒ Petroleum Crude Oil, 3 UN 1267 ☒ PG II  
☒ Gasoline, 3 UN 1203 ☒ PG II (Condensate)

☐ Lease Turndown/Reject ☐ Split with ticket # 9182

Operator SPL Lease # 1007

Lease Name MAJ. C. U.

Tank # 1 Tank Size 500 Bbl. Bbls./Inch 168

	ft.	in.		
First Gauge	<u>2</u>	<u>7 1/4</u>	Bottom BS&W	Gross Bbls <u>30 2.1</u>
Second Gauge	<u>1</u>	<u>3 1/4</u>	Top BS&W	<u>x .977</u>
Total Measured			Factor	Net Bbls <u>30.15</u>
Obs. <u>30.7</u>	Temperature	<u>49.3</u>		<u>x .9983</u>
			Ave. BS&W <u>3.1</u> % Factor Bbls	<u>30.10</u>

Driver Comments

Signature 12

Delivery Station information

	ft.	in.
Top Gauge		
Bottom Gauge		
Total Measured		

Destination Port of Spain, VA

Meter Reading  
One-Way Mileage

Est. Bbls. Delivered



EKAN CRUDE, LLC

K 8902

Date 6/28/11

County/State TX/L

☒ First Purchase ☒ One Cargo Tank  
☒ Petroleum Crude Oil, 3 UN 1267 ☒ PG II  
☒ Gasoline, 3 UN 1203 ☒ PG II (Condensate)

☐ Lease Turndown/Reject ☒ Split with ticket # 5181

Operator S. J. Jones

Lease # 1926

Lease Name M. J. Jones

Tank # 2 Tank Size 700 Bbl. Bbls./Inch 1.05

	ft.	in.		
First Gauge	11	6 1/2	Bottom BS&W	Gross Bbls <u>41.21</u>
Second Gauge	1	3 1/2	Top BS&W	<u>x .976</u>
Total				Net Bbls <u>41.05</u>
Measured			Factor	
Obs. <u>77.7</u>	Temperature <u>61</u>			<u>x .973</u>
			Ave. BS&W <u>1/16</u> % Factor Bbls	<u>40.98</u>

Driver Comments

Signature

Delivery Station Information

Destination Port

Off Gauge

	ft.	in.
Top Gauge		
Bottom Gauge		
Total Measured		

Meter

Reading

One-Way

Mileage

Est. Bbls. Delivered

Rev. 10/1/00

EKAN CRUDE, LLC

K 1122

Date 6-28-14

County/State AL 16

☒ First Purchase ☐ One Cargo Tank  
☒ Petroleum Crude Oil, 3 UN 1267 ☐ PG II  
☐ Gasoline, 3 UN 1203 ☐ PG II (Condensate)

☐ Lease Turndown/Reject ☒ Split with ticket # 5161

Operator Kimzon

Lease # 1874

Lease Name Paulsboro

Tank # 1 Tank Size 700 Bbl. Bbls./Inch 1.67

	ft.	in.		
First Gauge	5	6	Bottom BS&W	Gross Bbls <u>83.5</u>
Second Gauge	1	4	Top BS&W	x <u>997</u>
Total Measured			Factor	Net Bbls <u>83.25</u>
Obs. <u>23</u>	Temperature <u>70</u>			x <u>9960</u>
			Ave. BS&W <u>40%</u> Factor Bbls <u>82.92</u>	

Driver Comments

Signature R

Delivery Station information

Off Gauge

Destination Bayer

	ft.	in.
Top gauge		
Bottom gauge		
Total measured		

Meter Reading 1517449

One-Way

Mileage

Est. Bbls. Delivered

EKAN CRUDE, LLC

K 443

Date 6-20-14

County/State CR

☐ First Purchase ☐ One Cargo Tank  
☐ Petroleum Crude Oil, 3 UN 1267 ☐ PG II  
☐ Gasoline, 3 UN 1203 ☐ PG II (Condensate)

☐ Lease Turndown/Reject ☐ Split with ticket # 597

Operator Rhodes

Lease # 1910

Lease Name U. of N. B.

Tank # 1 Tank Size 150 Bbl. Bbls./Inch 116

	ft.	in.		
First Gauge	7	9	Bottom BS&W	Gross Bbls <u>87.52</u>
Second Gauge	1	9	Top BS&W	x <u>398</u>
Total Measured			Factor	Net Bbls <u>33.35</u>
Obs. <u>30.5</u>	Temperature <u>80</u>			x <u>710</u>
<u>72</u>			Ave. BS&W <u>4.0</u> % Factor Bbls <u>32.60</u>	

Notes Comments

Signature R

Delivery Station Information

Off Gauge

Destination Bayer

	ft.	in.
Top Gauge		
Bottom Gauge		
Total Measured		

Meter

Reading

One-Way

Mileage

Est. Bbls. Delivered

EKAN CRUDE, LLC

K 3117

Date 6-28-11

County/State CR

☐ First Purchase ☐ One Cargo Tank  
☐ Petroleum Crude Oil, 3 UN 1267 ☐ PG II  
☐ Gasoline, 3 UN 1203 ☐ PG II (Condensate)

☐ Lease Turndown/Reject ☒ Split with ticket # 5187

Operator R. S. S. S.

Lease # 1912

Lease Name Agua

Tank # 1 Tank Size 117 Bbl. Bbls./Inch 1.09

	ft.	in.		
First Gauge	2	10	Bottom BS&W	Gross Bbls <u>22.05</u>
Second Gauge	1	1	Top BS&W	<u>x .96</u>
Total Measured			Factor	Net Bbls <u>21.96</u>
Obs. <u>27</u>	Temperature <u>70</u>			<u>x .9916</u>
			Ave. BS&W	% Factor Bbls <u>21.78</u>

Driver Comments

Signature R

Delivery Station Information

	ft.	in.
Top Gauge		
Bottom Gauge		
Total Measured		

Destination Bogalusa  
Meter Reading 1111  
One-Way Mileage 1111  
Est. Bbls. Delivered 1111

EKAN CRUDE, LLC

K

Date 11/10/11

County/State CA/CA

☒ First Purchase ☒ One Cargo Tank  
☒ Petroleum Crude Oil, 3 UN 1267 ☐ PG II  
☒ Gasoline, 3 UN 1203 ☐ PG II (Condensate)

☐ Lease Turndown/Reject ☒ Split with ticket # 5184

Operator Almodus

Lease # 1011

Lease Name Ergo

Tank # 1 Tank Size 60 Bbl.

Bbls./Inch 1.69

First Gauge	5	1 1/2
Second Gauge	3	9
Total Measured		

Bottom BS&W

Gross Bbls

Top BS&W

x 1.66

Net Bbls

Obs. 75.7

Temperature

Factor

Ave. BS&W 1.60% Factor Bbls 77.84

Driver Comments

Signature

Delivery Station information

Off Gauge

Destination Boro

Top Gauge	ft.	in.
Bottom Gauge		
Total Measured		

Meter

Reading 516452

One-Way

Mileage

Est. Bbls. Delivered

## **ATTACHMENT “C”**

Mar 18, 2013 2:41:39 PM

Printed By: IOLPDRLF from: IOLPD001A

Received Time: Mar 18, 2013 14:39:05 Source ORI: KSLIC0000  
Summary: ZQ70: OLN=K00409036  
View Message Details

ZQ70

HORN JR RICHARD D [REDACTED] ROR IND/  
SEX/M EYE/BLU HGT/509 WGT/210 IMG/P CCL STTS/ CCL EXP/00000000  
STATUS: REG:VALID KANSAS CDL:VALID KANSAS SOC/

OLN/K00409036 TYPE/COMMERCIAL CLASS/ H CDLCLASS/A PREV OLN/C7J9N5  
ENDOR/PTX ISS/[REDACTED] EXP/[REDACTED] RENEWAL/[REDACTED]  
19760 SW 300TH ROAD  
COLONY KS 66015  
NO HISTORY FOR THIS OPERATOR  
NO ALIAS FOR THIS OPERATOR  
\*\*\* CRIMINAL JUSTICE USE ONLY - DO NOT DISSEMINATE \*\*\*  
MRI 8229379 IN: LKDOR 12262 AT 14:39 18MAR13  
OUT: IOLPD001A 159 AT 14:39 18MAR13

---

Received Time: Mar 18, 2013 14:39:05 Source ORI: KS0010200  
Summary: ZQ70: OLN=K00409036  
View Message Details

MESSAGE ACCEPTED - IOLPD001A 00009 AT 14:39 03/18/2013  
LKDOR  
MRI-8229376

IN RE: DOCKET NO. 15-TRAM-216-PEN

DATE DEC 02 2014

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET  
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
RICHARD D. HORN JR, OWNER EKAN CRUDE LLC 403 E BROAD ST COLONY, KS 66015		
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED DEC 03 2014

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.