

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

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

In the Matter of the Investigation of **Midwest** )  
**Shotcrete Inc., d/b/a Midwest Pools, of** )  
**Pleasanton, Kansas,** Regarding the Violation of )  
the Motor Carrier Safety Statutes, Rules and ) Docket No. 16-TRAM-536-PEN  
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 Midwest Shotcrete Inc., d/b/a Midwest Pools of Pleasanton, Kansas (Respondent). In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.S.A. 2015 Supp. 66-1,108, 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 1040563.
3. On August 16, 2016, 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. 2015 Supp. 66-1,129 due to non-compliance with a

Penalty Order issued in this docket on June 7, 2016. The Penalty Order also assessed Respondent a \$300 civil fine.

4. On August 23, 2016, 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 has also paid the \$300 penalty assessment.

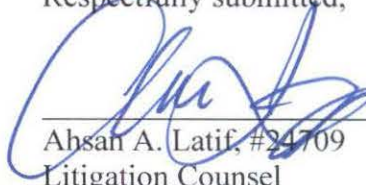
5. Therefore, Staff asks the Commission to find that Respondent has now complied with the requirements of the above-referenced Penalty Order.

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 the next ninety (90) days, and to provide Staff 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 the next ninety (90) days, and to provide Staff with written proof of attendance.

Respectfully submitted,



Ahsan A. Latif, #24709

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For Commission Staff

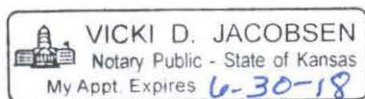
## VERIFICATION

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.

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

SUBSCRIBED AND SWORN to before me this 23<sup>rd</sup> day of August, 2016.



Vivian O. Jacobs  
Notary Public

My Appointment Expires: June 30, 2018

**CERTIFICATE OF SERVICE**

16-TRAM-536-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Reinstate Intrastate Motor Carrier Operations was served via electronic service this 23<sup>rd</sup> day of August, 2016, to the following:

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Vicki Jacobsen