

1500 SW Arrowhead Road
Topeka, KS 66604-4027



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

Susan K. Duffy, Chair
Shari Feist Albrecht, Commissioner
Dwight D. Keen, Commissioner

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT

February 20, 2020

20-TRAM-351-PEN

Bernard Nyangau
Logistics Two LLC
1505 E Sunset Ct
Goddard, KS 67052

This is a notice of a penalty assessment against Logistics Two LLC (Logistics Two) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on January 23, 2020, by Kansas Corporation Commission Special Investigator Doug Handy. Penalties are assessed in accordance with the FY 2020 Uniform Penalty Assessment Matrix, approved by the Commission on July 16, 2019. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: Logistics Two has been assessed a \$1,000 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,000, through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

The attached Order requires a representative of Logistics Two to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY ORDER: **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. Logistics Two must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 77-542.

IF YOU FAIL TO ACT: Failure to pay the penalty of \$1,000 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

Ahsan A. Latif
Litigation Counsel
(785) 271-3118

2. Pursuant to K.S.A. 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 issue an order 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. Logistics Two LLC (Logistics Two) has private and common operating authority with the Commission and further operates under USDOT number 2943312.

5. Bernard Nyangau attended the Procedures for Safety Compliance Seminar presented by the Kansas Corporation Commission, on April 1, 2019, on behalf of Logistics Two.

6. Logistics Two is a private and common motor carrier which primarily hauls general freight.

III. STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on January 23, 2020, Commission Staff (Staff) Special Investigator Doug Handy conducted a safety compliance review of the operations of Logistics Two. 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, the special investigator identified one (1) violation(s) of the Motor Carrier Safety Regulations.

- a. On August 5, 2019, Logistics Two required or permitted its driver, Roger Moore, to operate a CDL-required commercial motor vehicle, a 2013 Freightliner, VIN ending in 4569, GVWR 52,000 lbs., pulling a 2005

Utility trailer, VIN ending in 312914, GVWR 65,000 lbs., in interstate commerce from Salina, Kansas to Modesto, California. This trip is evidenced by Electronic Record of Duty Status (ELD), dated August 5, 2019, a copy of which is attached hereto as Attachment “B” and is hereby incorporated by reference. At the time of this transportation, driver Roger Moore falsified his record of duty status in the month of August 2019 seven (7) different days of the 31 days reviewed. Driver was recording on the ELD as off duty using personal conveyance and while on personal conveyance, the driver was advancing the load towards the shipper/receiver in an attempt to hide hours. Logistics Two’s falsifying records of duty status is a violation of 49 C.F.R. 395.8(e)(1), adopted by K.A.R. 82-4-3a, and authorized by K.S.A. 66-1,129. Staff recommends a fine of \$1,000.

IV. STAFF’S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Logistics Two committed one (1) violation(s) 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 \$1,000 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Logistics Two be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this

Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that Logistics Two submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation 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 Logistics Two because it is a motor carrier as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f.

13. The Commission finds Logistics Two committed one (1) violation(s) 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. Logistics Two LLC, of Goddard, KS is hereby assessed a \$1,000 civil penalty for one (1) violation(s) 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. Logistics Two is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Logistics Two is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the carrier to set up the appointment.

E. Pursuant to K.S.A. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Logistics Two's right to a hearing, and this Penalty Order will become a Final Order assessing a \$1,000 civil penalty against Logistics Two, and ordering a representative from Logistics Two to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

F. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil

penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 66-1,142b(e) and amendments thereto.

G. If you do not request a hearing, the payment of the civil penalty of \$1,000 is due in thirty (30) days from the date of service of this Order. Payment of \$1,000 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

H. Failure to pay the \$1,000 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Logistics Two'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 revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

I. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Albrecht, Commissioner; Keen, Commissioner

Dated: 02/20/2020



Lynn M. Retz
Executive Director

AAL

ATTACHMENT “A”

UNITED STATES DEPARTMENT OF TRANSPORTATION



U.S. DOT#: 2943312
MC/MX#: 995818

Legal: LOGISTICS TWO LLC
Operating (DBA):

Investigation Date:
01/23/20

Investigation Type: Onsite Comprehensive Investigation

Location of Investigation: Company principal place of business (PPOB)

Extent of Operations: Entire Operation

Physical Address

1505 E SUNSET CT
GODDARD, KS 67052
United States

Mailing Address

1505 E SUNSET CT
GODDARD, KS 67052
United States

Contact Information

Contact Name: Bernard Nyangau

Email:

Phone:

Business and Financial

Business Type: Limited Liability Corporation

Gross Revenue: For Year Ending: 12/31/18

Federal Tax ID: (N)

Operation Classification and Type

Cargo

Type of Operation: Non-HM Interstate Carrier, Non-HM Intrastate Carrier

General Freight

Operation Classification

For-Hire Motor Carrier

Property

Other Non-Hazardous Freight

Private Motor Carrier

Property – Non-Hazardous Materials

Equipment				Driver Information		
	Owned	Term Leased	Trip Leased	Drivers		
Truck Tractors	4				Intrastate	Interstate
Trailers	4			< 100 Miles		
				>= 100 Miles		4
Power units used in the U.S.: 4 Percentage of time used in the U.S.: 100%				Average trip leased driver/month: 0 Drivers with CDL: 4 Total Drivers: 4		
Person(s) Interviewed						
Name: Bernard Nyangau				Title: Managing Membe		
Name: Scott Mayfield				Title: MCS Safety Consultant		
Questions						
Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:				Kansas Corporation Commission 1500 SW Arrowhead Rd Topeka, KS 66604-4027 Phone: (785) 271-3145 Fax: (785) 271-3124		
This report will be used to assess your safety compliance.						

Violations

1. Primary: 395.8(e)(1)

Making, or permitting a driver to make, a false report regarding duty status

Violations Discovered

Fed	State	Total
7		7

Checked

Fed	State	Total
120		120

Example/Notes:

Driver name: Roger Moore

Trip Date: 08/05/2019

Driver drove 6.75 hours on Personal Conveyance while operating from Helper, UT (750,988) to Mapleton, UT. (751,029) total 41 miles while ELD Record shows off-duty.

Driver drove from Mapleton, UT, (751,029) to Salt Lake City, UT (751090) total of 61 miles while Record showed off duty. Driver was loaded BOL #Cousins 109617.

Drivers/Vehicles

In Violation	Checked
1	4

Safety Fitness Rating

Your proposed safety rating is: **SATISFACTORY** 0 UNSATISFACTORY rating factors and 2 or fewer CONDITIONAL rating factors. Corrective actions must be taken for any violations (deficiencies) identified in this report. See below for more information.

RATING FACTORS	RATING	ACUTE	CRITICAL
Factor 1: General = Parts 387 and 390	Satisfactory		
Factor 2: Driver = Parts 382, 383 and, 391	Satisfactory		
Factor 3: Operational = Parts 392 and 395	Satisfactory		
Factor 4: Vehicle = Parts 393 and 396	Satisfactory		
OOS Vehicles (CR): 0			
Number of Vehicles Inspected (CR): 0			
OOS Vehicles (MCMIS): 1			
Number of Vehicles Inspected (MCMIS): 4			
OOS Rate: 25%			
Factor 5: Haz. Mat. = Parts 397, 171, 177 and, 180	Not Rated		
Factor 6: Accident Factor = Recordable Rate	Satisfactory	N/A	N/A
Total Miles Operated: 75,709			
Recordable Accidents: 0			
Recordable Accidents/Million Miles: 0.00			

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

BASIC: Hours-of-Service Compliance

Process Breakdown: Policies and Procedures

Logistics Two, LLC failed to have policies in place to prevent falsifications with the ELD's by misuse of PC.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Policies and Procedures:

1. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Hours-of-Service (HOS) violations.
2. Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Hours-of-Service (HOS) violations.

BASIC: Hours-of-Service Compliance

Process Breakdown: Training and Communication

Logistics Two, LLC failed to train drivers on the use of PC.

Specific Recommended Remedies

To implement Safety Improvement Practices, the following list are recommended practices related to Training and Communication:

1. Train all staff who are required to monitor and track Hours of Service (HOS) on appropriate company policies, including those related to discipline and incentives.

Recommendations

1. Additional Information

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

2. Obtain copies of the regulations, forms, interpretations, manuals.

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm

3. Ensure that all drivers' logs are accurate.

Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.

4. Drug and Alcohol Clearinghouse

Find out your responsibilities and requirements for FMCSA's Drug and Alcohol Clearinghouse by visiting <https://clearinghouse.fmcsa.dot.gov>. Implementation begins January 6, 2020.

5. All Recommendations

"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. Discuss with your employees/drivers the ""Security Measures for Truck Drivers and Companies"" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:

<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

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

6. CAP Letter

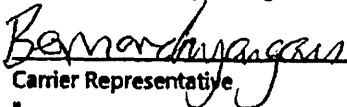
"The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all the violations identified within this report. Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Submit the letter along with copies of your supporting evidence to:

Email: g.davenport@kcc.ks.gov
FAX: 785-271-3124

or mail:
Kansas Corporation Commission
Attn: Gary Davenport
1500 SW Arrowhead Rd
Topeka, KS 66604-4027"

7. *Acknowledgement of Statement

*Acknowledgement Statement Applies only to CR "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 [motor carrier's] operating authority and/or the impoundment of [motor carrier's] commercial motor vehicles.


Carrier Representative

1/23/2020

Date

ATTACHMENT “B”

Electronic Record of Duty Status

LOGISTICS TWO LLC (U.S. DOT# 2943312) Driver: ROGER MOORE

Output file comment: INV-1712597

24 Period Start Time: Midnight

Driver's License KansasK03533099

Manufacturer: KeepTruckin, Inc.

Time-Zone: CST (UTC-6)

Exempt Driver Configuration:

ELD Identifier: KTIELD

Date/Time: 1/10/2020 10:47:23 AM -06:00

Location: 4mi SW KS Wichita

Daily Log Filter Date between 8/5/2019 And 8/5/2019

Daily Log: 08/05/2019

Filter Date between 8/5/2019
And 8/5/2019

Unidentified Driving Time:
00:00:00

Certified by Driver: Yes

Malfunctions: None

Data Diagnostics: None

CMV Power Unit: T4

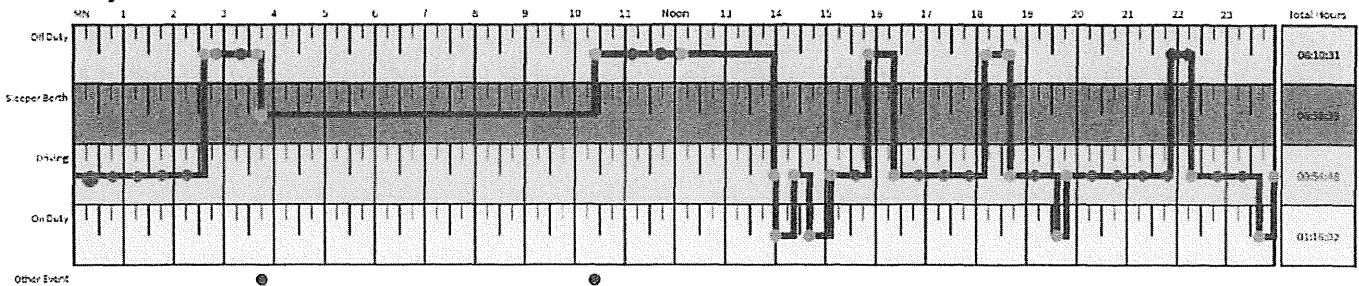
CMV VIN:
1FUJGLDR0DLBZ4569

Shipping Document Number:
COUSINS109617

Start/End Engine Hours: 21925.2 - 21948.2
Start/End Odometer: 750837 - 751544

Miles Driven: 707

Record of Duty Status



Event Detail

Date	Time	Geo Location	Location	Odometer	Engine Hours	Event	Origin
------	------	--------------	----------	----------	--------------	-------	--------

		Coordinates				Type/Status	
08/05/2019	00:15:27	16mi W CO Loma	39.2, -109.1	750,837	21,925	Intermediate log	ELD
08/05/2019	00:45:27	7mi SE UT Thompson Springs	38.9, -109.6	750,872	21,926	Intermediate log	ELD
08/05/2019	01:15:28	2mi WNW UT Green River	39, -110.2	750,910	21,926	Intermediate log	ELD
08/05/2019	01:45:28	9mi S UT East Carbon-Sunnyside	39.4, -110.4	750,942	21,927	Intermediate log	ELD
08/05/2019	02:15:29	UT Price	39.6, -110.8	750,972	21,927	Intermediate log	ELD
08/05/2019	02:36:44	10mi NNW UT Helper	39.81, -110.94	750,988	21,928	Off-duty	Driver
08/05/2019	02:49:58	10mi NNW UT Helper	39.81, -110.94	750,988	21,928	Off-duty	Driver
08/05/2019	02:49:58	9mi NNW UT Helper	39.8, -110.9	750,988	21,928	PC	Driver
	Was on top of Mountain and needed to find a parking place.						
08/05/2019	02:49:58	9mi NNW UT Helper	39.8, -110.9	750,988	21,928	PC (Inactive - Changed)	Driver
08/05/2019	02:49:58	10mi NNW UT Helper	39.81, -110.94	750,988	21,928	Off-duty (Inactive - Changed)	ELD
08/05/2019	03:19:59	16mi ESE UT Mapleton	40, -111.3	751,013	21,928	Intermediate log	ELD
08/05/2019	03:39:48	8mi E UT Woodland Hills	40, -111.5	751,029	21,929	PC/YM Cleared	Driver
08/05/2019	03:39:48	8mi E UT Woodland Hills	40, -111.5	751,029	21,929	PC/YM Cleared (Inactive - Changed)	Driver

08/05/2019	03:39:48	5mi SSE UT Mapleton	40.04, -111.54	751,029	21,929	Off-duty	Driver
08/05/2019	03:45:05	Not Available	0, 0	Missing power-up event	Missing power-up event	Sleeper Berth	Driver
08/05/2019	09:24:49					First certification	ELD
08/05/2019	10:23:44	Not Available	0, 0	Missing power-up event	Missing power-up event	Off-duty	Driver
08/05/2019	10:24:09	8mi E UT Woodland Hills	40, -111.5	751,029	21,935	PC	Driver
08/05/2019	10:24:09	5mi SSE UT Mapleton	40.04, -111.54	751,029	21,935	Off-duty	ELD
08/05/2019	11:08:24	2mi WNW UT Draper	40.5, -111.9	751,067	21,936	Intermediate log	ELD
08/05/2019	11:40:53	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,937	Off-duty	Driver
08/05/2019	11:40:53	3mi NE UT Salt Lake City	40.8, -111.9	751,090	21,937	PC/YM Cleared	Driver
08/05/2019	11:40:53	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,937	Off-duty (Inactive - Changed)	Driver
08/05/2019	11:43:21	3mi NE UT Salt Lake City	40.8, -111.9	751,090	21,937	Shut-down	ELD
08/05/2019	12:05:45	3mi NE UT Salt Lake City	40.8, -111.9	751,090	21,937	Power-up	ELD
08/05/2019	12:07:35	3mi NE UT Salt Lake City	40.8, -111.9	751,090	21,937	PC	Driver
08/05/2019	12:07:35	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,937	Off-duty	ELD
08/05/2019	12:08:29	3mi NE UT Salt Lake City	40.8, -111.9	751,090	21,937	PC/YM Cleared	Driver

08/05/2019	12:08:29	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,937	Off-duty	Driver
08/05/2019	13:58:01	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,939	Driving	ELD
08/05/2019	14:00:37	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,939	On-duty, not driving	Driver
08/05/2019	14:00:37	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,939	On-duty, not driving (Inactive - Changed)	Driver
08/05/2019	14:05:28					First certification	ELD
08/05/2019	14:22:30	1mi W UT Salt Lake City	40.77, -111.94	751,090	21,939	Driving	ELD
08/05/2019	14:40:56	6mi NNE UT Stansbury Park	40.72, -112.24	751,108	21,939	On-duty, not driving	ELD
08/05/2019	15:05:43	6mi NNE UT Stansbury Park	40.72, -112.24	751,108	21,940	Driving	ELD
08/05/2019	15:35:44	22mi NW UT Grantsville	40.8, -112.8	751,139	21,940	Intermediate log	ELD
08/05/2019	15:50:40	39mi NNW UT Dugway	40.76, -113.01	751,154	21,940	Off-duty	Driver
08/05/2019	15:50:40	39mi NNW UT Dugway	40.76, -113.01	751,154	21,940	On-duty, not driving (Inactive - Changed)	ELD
08/05/2019	16:21:14	39mi NNW UT Dugway	40.76, -113.01	751,154	21,941	Driving	ELD
08/05/2019	16:51:14	22mi E UT Wendover	40.7, -113.6	751,188	21,941	Intermediate log	ELD
08/05/2019	17:21:15	8mi WNW NV West Wendover	40.8, -114.2	751,221	21,942	Intermediate log	ELD
08/05/2019	17:51:16	9mi NW NV Oasis	41.1, -114.6	751,249	21,942	Intermediate	ELD

08/05/2019	18:09:21	1mi SW NV Wells	41.1, -114.96	751,268	21,943	log	
08/05/2019	18:09:41	3mi WSW NV Wells	41.1, -115	751,268	21,943	Off-duty	Driver
08/05/2019	18:09:41	1mi SW NV Wells	41.1, -114.96	751,268	21,943	PC	Driver
08/05/2019	18:11:27	3mi WSW NV Wells	41.1, -115	751,269	21,943	Off-duty	ELD
08/05/2019	18:11:27	1mi SW NV Wells	41.1, -114.96	751,269	21,943	PC/YM Cleared	Driver
08/05/2019	18:36:15	3mi WSW NV Wells	41.1, -115	751,269	21,943	Off-duty	ELD
08/05/2019	18:36:15	1mi SW NV Wells	41.1, -114.96	751,269	21,943	PC	Driver
08/05/2019	18:39:38	3mi WSW NV Wells	41.1, -115	751,269	21,943	Off-duty	ELD
08/05/2019	18:39:38	1mi SW NV Wells	41.1, -114.96	751,269	21,943	PC/YM Cleared	Driver
08/05/2019	18:40:00	1mi SW NV Wells	41.1, -114.96	751,269	21,943	Off-duty	Driver
08/05/2019	19:10:00	9mi ENE NV Osino	41, -115.5	751,302	21,944	Driving	ELD
08/05/2019	19:36:14	1mi NNW NV Elko	40.85, -115.77	751,321	21,944	Intermediate log	ELD
08/05/2019	19:47:32	1mi NNW NV Elko	40.85, -115.77	751,321	21,944	On-duty, not driving	ELD
08/05/2019	20:18:12	5mi W NV Carlin	40.7, -116.2	751,351	21,945	Driving	ELD
08/05/2019	20:48:13	8mi ESE NV Battle Mountain	40.6, -116.8	751,383	21,945	Intermediate log	ELD
08/05/2019	21:18:13	11mi ESE NV Golconda	40.9, -117.3	751,420	21,946	Intermediate log	ELD
08/05/2019	21:48:13	6mi SW NV Winnemucca	40.9, -117.8	751,451	21,946	Intermediate log	ELD
08/05/2019	21:51:29	5mi WSW NV Winnemucca	40.93, -117.8	751,453	21,946	Off-duty	Driver
08/05/2019	21:52:55	6mi SW NV	40.9, -117.8	751,453	21,947	Shut-down	ELD

		Winnemucca					
08/05/2019	22:13:13	6mi SW NV	40.9, -117.8	751,453	21,947	Power-up	ELD
		Winnemucca					
08/05/2019	22:18:09	5mi WSW NV	40.93, -117.8	751,453	21,947	Driving	ELD
		Winnemucca					
08/05/2019	22:49:46	5mi SW NV Imlay	40.6, -118.2	751,486	21,947	Intermediate log	ELD
08/05/2019	23:19:46	3mi NW NV	40.2, -118.5	751,521	21,948	Intermediate log	ELD
		Lovelock					
08/05/2019	23:40:18	22mi SW NV	39.94, -118.75	751,544	21,948	On-duty, not driving	ELD
		Lovelock					
08/05/2019	23:58:22	22mi SW NV	39.94, -118.75	751,544	21,948	Driving	ELD
		Lovelock					

CERTIFICATE OF SERVICE

20-TRAM-351-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail/hand delivered on 02/21/2020.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
a.latif@kcc.ks.gov

BERNARD NYANGAU, MANAGING MEMBER
LOGISTICS TWO LLC
1505 E SUNSET CT
GODDARD, KS 67052
nyangauin@yahoo.com

/S/ DeeAnn Shupe

DeeAnn Shupe